

Draft General Management Plan

Development Concept Plan/Environmental Assessment

BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC SITE



On May 17, 1954, in ***Brown v. Board of Education***, the United States Supreme Court unanimously declared, "We conclude that in the field of public education the doctrine of 'Separate But Equal' has no place. Separate educational facilities are inherently unequal."



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The 1952 U.S. Supreme Court – Front row, left to right: Felix Frankfurter,
Hugo L. Black, Earl Warren, Stanley F. Reed, and William O. Douglas.
Back row: Tom C. Clark, Robert H. Jackson, Harold H. Burton, and
Sherman Minton. Photo by Fabian Bachrach, Collection of the Supreme
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Monroe School photograph. National Park Service.



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Draft
General Management Plan
Development Concept Plan
Environmental Assessment

May 1996

BROWN V. BOARD OF EDUCATION

National Historic Site • Kansas

A VISION FOR BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC SITE

The story of *Brown v. Board of Education* goes to the core of the American experience in the United States.

The national historic site is a place where the concepts related to civil rights and equality are effectively communicated to all visitors, regardless of age, race, or background; where people are educated, inspired, provoked, and challenged; and where people understand how the historic Supreme Court decision has affected their everyday lives.

The significance of the Supreme Court decision is communicated far beyond the national historic site's physical boundaries. The story of school desegregation, as well as the continuing story of the civil rights movement, is told here and at other national park system areas that are thematically related, and it is told in cooperation with related governmental agencies and private organizations throughout the nation.

SUMMARY

Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprive children of the minority group of equal educational opportunities? We believe it does. . . . To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way very unlikely ever to be undone.

Chief Justice Earl Warren, 1954, *Brown v. Board of Education* decision

The landmark U.S. Supreme Court decision, *Brown v. Board of Education*, has in some way touched the lives of all U.S. citizens. It has affected families, communities, and governments by ending segregation in public schools. The significance of *Brown v. Board of Education* National Historic Site and the story to be told is at the core of American history and what we as Americans are all about. The story represents a chapter in the maturation of America. The decision in the *Brown v. Board of Education* case reaffirmed the sovereign power of the people of the United States in the protection of their natural rights from arbitrary limits and restrictions imposed by state and local governments. These rights are recognized in the Declaration of Independence and guaranteed by the Constitution of the United States.

On October 26, 1992, *Brown v. Board of Education* National Historic Site was established in Topeka, Kansas, by Public Law 102-525 to commemorate this landmark Supreme Court decision. The national historic site boundary includes the Monroe School building and adjacent grounds, which have been acquired by the National Park Service.

The National Park Service is required to prepare a general management plan. This plan will (1) guide administration and development of this site and (2) protect the

site's natural and cultural resources while providing opportunities for visitors to understand, enjoy, and appreciate the reasons for which the site was established — to commemorate the important decision that ended segregation in public schools. The plan is intended to guide management and administration of the site for 10–15 years.

This *General Management Plan / Development Concept Plan / Environmental Assessment* proposes a phased plan for developing and managing the site, opening it to the public, and telling the *Brown v. Board of Education* story. A no-action / continuation of existing trends alternative is not presented because it would not allow the National Park Service to comply with the statutory requirements of the site's establishing legislation.

Phase I of the proposed plan meets the minimum requirements for opening the site and would include interim actions to provide the minimum conditions needed to preserve and protect the resources, provide for public health and safety, and tell the basic interpretive story.

Under phase I visitors could come into the school and learn basic information about the *Brown* story through personal contacts with NPS staff, site-produced exhibits and brochures, and commercially available audiovisual programs and publications. Personal programs including offsite programs for groups and organizations would be a high priority, although the number of programs given would be fewer than in phase II due to limited staffing. The major site stories and themes would be interpreted, but fewer professionally designed interpretive media would be available than those described for phase II. There would also be less at the site to attract visitors. Nonetheless, considering the significance and emotional impact of the interpretive

story, the quality of NPS personal programs, and possibilities for interpretive media produced through partnerships, the site visitor experience would meet NPS standards. Most visitor experience goals could be met. The building would be protected and made safe for visitor access.

In phase II the National Park Service would fulfill the vision and goals for the site to the best of its ability. In addition to meeting phase I goals, the National Park Service would enhance resource protection, better serve diverse audiences (including children, visitors with disabilities, the elderly, and foreign visitors), and tell the in-depth story of *Brown v. Board* through a variety of interactive interpretive media and personal services. As in phase I, visitor experience would be focused on the stories rather than the school or artifacts. Extensive use would be made of audiovisual media and interactive displays, along with the development of video conferencing and a computer resource center with links to universities, museums, and other related sites. Educational programs for schools and other groups would be offered daily.

This *General Management Plan* must also analyze the impacts of implementing the plan on the environment, including the natural and cultural resources and the socioeconomic environment. The most significant impacts of implementing this plan would be on the socioeconomic environment. Increases in the numbers of tourists could increase traffic congestion and might cause parking problems. However, visitor traffic would not necessarily be during rush-hour traffic, and providing an offstreet parking area would keep cars off neighborhood streets (even in phase II when more visitors would be anticipated) and have less impact on the residential character of the area. On the positive side, an increase in tourists would probably increase revenues for area businesses.

Interest and the number of site visitors will increase in direct proportion to the amount

of publicity, and the amount of publicity will be in proportion to the available activities and interpretive media. Under phase I a lower level of visitation and traffic would be expected than in the phase II because of the initially limited media development. Personal onsite programs would be very effective, but they would be few in number because of limited staffing and sporadic visitation and because few people would know that they were available. Offsite programs would be effective, though early on would be fewer in number, scope, and background research due to limited staffing.

Under phase II the historic site would attract more visitors and thus increase neighborhood traffic, but the amount of visitation/traffic cannot be precisely predicted at this time.

The nationally significant story of the *Brown v. Board* decision and its effect on our American culture would be effectively told under phase II. A significant and growing number of site visitors, neighbors, and regional residents would understand both the historical events relating to the *Brown* story as well as their relevance to our lives today. Visitors to the site and to offsite programs would stimulate further study and introspection into topics such as civil rights, citizenship, the Constitution, and personal values. Visitors would better understand the views and situations of others. Students would find topics of history and current events that relate strongly to their backgrounds. Visitation to other related sites (in Topeka and the nation) would probably increase.

Offering NPS technical assistance to the city to maintain the neighborhood ambience might help ensure that the neighborhood evolves to a more residential character.

Water and sewer demands would go up (minimally in phase I) but not beyond the capabilities of the existing service to the

building. The increased operating times would increase the potential need for fire and police protection. However, the historic site is close to major fire and police stations.


Some temporary job opportunities would be created for renovating Monroe School. Minimal opportunities would exist for permanent jobs. Employees would, however, contribute to the economy of Topeka.

The public review and comment period on this draft document will be 30 days. Public meetings will be held during the comment period. Appropriate changes will be made to the document to respond to public comments.

Following the public review of the *Draft General Management Plan / Development Concept Plan / Environmental Assessment*, the National Park Service will issue either a finding of no significant impact or a notice of intent to prepare an environmental impact statement. If necessary, a final plan will be printed.

Comments should be addressed to

Superintendent
Brown v. Board of Education National
Historic Site
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Topeka, KS 66603-3441
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Charles Houston in court and Henrietta Williams Houston (right) ca. 1940s.

Charles Houston worked tirelessly as the head of the NAACP Legal Defense Fund from 1934 to 1938. His work on school desegregation and other civil rights issues set the stage for *Brown v. Board of Education*.



Photo courtesy: Charles H. Houston, Jr. and MSRC

Photos courtesy
of University of Kansas Libraries



Photo courtesy of NAACP Legal Defense Fund



Local civil rights lawyers in Delaware, the District of Columbia, Kansas, South Carolina, and Virginia fought legal battles over school segregation for years before they were joined by the NAACP Legal Defense Fund for the U.S. Supreme Court in the case of *Brown v. Board of Education*.

Topeka Lawyers

Elisha Scott, Charles S. Scott, John Scott, and Charles Bledsoe (above) spearheaded the Kansas case.

Part of plaintiffs' legal team in *Brown v. Board*: John Scott, James M. Nabrit, Jr., Spottswood W. Robinson III, Frank D. Reeves, Jack Greenberg, Thurgood Marshall, Louis L. Redding, U. Simpson Tate, and George E. C. Hayes (left).

Parent Plaintiffs

Thirteen parents participated as plaintiffs in behalf of their children in the Topeka case. Ms. Lucinda Todd, secretary of the Topeka NAACP, was the first parent to become a plaintiff. Ironically, Oliver Brown, after whom the Kansas case and the consolidated Supreme Court case were named, was a late participant in the Topeka case. Pictured are 1. Mr. Oliver L. Brown, 2. Mrs. Lena Carper, 3. Mrs. Mauguerite Emerson and sons, 4. Mrs. Zelma Henderson, 5. Mrs. Shirley Hodison, 6. Mrs. Maud Lawton, 7. Mrs. Richardson, 8. Mrs. Vivian Scales, and 9. Mrs. Lucinda Todd and daughter. Not pictured are Mrs. Darlene Brown, Mrs. Sadie Emmanuel, Mrs. Shirley Fleming and Mrs. Alma Lewis.



All photos courtesy of University of Kansas Libraries



All student photos courtesy
of University of Kansas Libraries

Student Plaintiffs

Twenty students joined the *Brown v. Board of Education* case against the State of Kansas. Pictured are Linda Brown, Katherine Carper, Donald Henderson, Vicki Henderson, Charles Hodison, Victoria Jean Lawton, Carol Kay Lawton, and Ruth Ann Scales. Not Pictured are Saudria Dorstella Brown, James Meldon Emmanuel, Claude Arthur Emmerson, George Robert Emmerson, Duane Dean Fleming, Silas Hardrick Fleming, Arthur Lewis, Frances Lewis, Martha Lewis, Theron Lewis, Ronald Douglas Richardson, and Nancy Jane Todd.

Students on strike against inadequate and segregated schools in Prince Edward County, Georgia. *Davis v. Prince Edward County School Board* in Farmville, Virginia, was one of the five cases consolidated by the U.S. Supreme Court in the *Brown* decision (right). School building is in background.



Photo by Hank Walker, Life Magazine© Time Warner, Inc.

BROWN V. BOARD OF EDUCATION OF TOPEKA: THE DECISION PAST AND PRESENT

Segregation was, is, the way in which a society tells a group of human beings that they are inferior to other groups of human beings in the society.

Dr. Kenneth Clark, quoted in
Eyes on the Prize, p. 20

We lived across the street from a white family. From my side of the street on, it was the black community, and from their side of the street, it was the white community. Up until the time I was about ten years old, I always played with those white kids. But once I became ten, their parents came straight out and told me they didn't want me playing with their kids no more. Their mama told them they were better than I was, and told me I couldn't associate with her son, and I had to call him "Mister." And the kids themselves adopted that attitude.

Ben Chaney, Meridian, Mississippi,
Freedom's Children, p. 3

THE DECISION

By denying African American children the right to enroll in white elementary schools, the Board of Education of Topeka, Kansas, became a part of the chain of events that led to the Supreme Court and the case of *Brown v. Board of Education of Topeka*. By fall 1952 the Supreme Court had on its docket this case from Kansas as well as cases from Delaware, the District of Columbia, South Carolina, and Virginia, all of which challenged the constitutionality of racial segregation in public schools. Only in the Topeka case did the facts show that both the black and white schools were fairly equal with respect to buildings, salaries, teachers, and other tangible factors. The issue before the Court was the constitutionality of segregation per se — the question of whether the doctrine of *Plessy v. Ferguson* should be affirmed or reversed. The principle of the 1896 *Plessy*

v. Ferguson case, although it legitimized racial segregation in the area of public transportation, carried over to the legitimacy of racial segregation in the schools.

[Stating why he had agreed to be a plaintiff in the Brown case] *Well, it wasn't for the sake of hot dogs. It wasn't to cast any insinuations that our teachers are not capable of teaching our children because they are supreme, extremely intelligent and are capable of teaching my kids or white or black kids. But my point was that not only I and my children are craving light, the entire colored race is craving light, and the only way to reach the light is to start our children together in their infancy and they come up together.*

Topeka plaintiff Silas Fleming,
quoted in *Crusaders in the Courts*
(Greenberg 1994), p. 129

The *Brown* case was argued before the Supreme Court in December 1952. The death of Chief Justice Vinson caused the case to be reargued in December 1953, after the appointment of Earl Warren as chief justice. On May 17, 1954, the Court issued its historic decision in which it concluded that separate educational facilities are inherently unequal. After 60 years, *Plessy v. Ferguson* was overturned.

This decision written by Chief Justice Earl Warren was momentous. The social and ideological impact of the case cannot be overestimated. The decision was unanimous. The issue of the legal separation of the races was settled. Segregation violated the 14th amendment of the Constitution and was unconstitutional.

The time Reverend Shuttlesworth tried to enroll his daughters in Phillips High School was the most frightening day. I believe it was the worst day that I can remember. We actually saw hundreds and hundreds of white people standing around watching others beat a black man with chains just because he wanted to enroll his children. And no one was going to his defense. They felt justified in what they were doing. To actually witness something as brutal as that went real, real deep with me.

Myrna Carter, Birmingham, Alabama;
Freedom's Children, p. 47

Testimony concerning the effect of the segregation of the races in the Topeka elementary schools was included in the findings of the United States District Court for Kansas, and the Supreme Court adopted this language as the basis for its decision. The specific language quoted by the Supreme Court in the *Brown* decision stated the following:

Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has the tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

The *Brown* decision reminds us of the words of Mr. Justice John Marshall Harlan who wrote in his famous dissent in *Plessy v. Ferguson* that "Our Constitution is color-blind and neither knows nor tolerates classes among our citizens. In respect to civil rights, all citizens are equal before the law."

I thought a lot about ending segregation because Daddy was so involved, and we got so many threats and telephone calls. I remember I used to think that if I had one wish, it would be that everybody would be blind. Then nobody would know what color anything was.

Ricky Shuttlesworth, Birmingham, Alabama;
Freedom's Children, p. 14

A TURNING POINT WITH MEANING FOR TODAY

The *Brown* decision of May 1954 was a turning point for the civil rights struggles of African Americans. Up until and including *Brown*, all progress toward equal rights had been achieved through the courts. This Supreme Court decision, which ended the doctrine of separate but equal in public education, had a far-reaching effect on the hearts and minds of African Americans. As a result, unequal treatment would no longer be tolerated.

When the Brown decision was handed down, black people hoped that the foundation on which Jim Crow had built his house would collapse. But in the years that followed, it became clear that the house would have to be dismantled brick by brick — on the buses, at the lunch counters, in the voting booths.

Eyes on the Prize, Juan Williams, p. 122

This sentiment led to the Montgomery bus boycott in 1955, sparked by Rosa Parks. The boycott resulted in a less heralded Supreme Court decision in 1956, outlawing segregation in public transportation.

Also in 1955, in a later decision known as *Brown II*, the Supreme Court issued an implementation order for "all deliberate speed" for the desegregation of public schools. But many states and localities, especially in the South, either evaded or refused to comply with the

Court order. Without implementation, the 1954 decision lacked much real weight.

A declaration condemning the Supreme Court's ruling of May 17, 1954, was issued on March 11, 1956, by 19 Senators and 77 members of the House of Representatives from 11 Southern States, who pledged themselves to resist it by "all lawful means."

*Race Relations in the USA, Keesing's
Research Report, p. 32*

In his book, *Crusaders in the Courts* (1994), Jack Greenberg, former head of the National Association for the Advancement of Colored People's Legal Defense and Educational Fund, outlines the impact of *Brown* on the modern civil rights movement. He refers to events and people emboldened by the Supreme Court's words. (The following is paraphrased from Greenberg's book.)

On May 17, 1957, there was Martin Luther King Jr.'s prayer pilgrimage held to mark the third anniversary of the *Brown* decision. In fall 1957, the National Association for the Advancement of Colored People enlisted nine African American students to integrate Central High School in Little Rock, Arkansas. Association youth councils in Oklahoma City, Oklahoma, and Wichita, Kansas, sat in at lunch counters beginning in 1958. By 1960 a new spirit was sweeping the country. This new spirit (the civil rights movement) led to more sit-ins; spread to

Freedom Rides; gave birth to the demands for full equality in all aspects of American life that in its nonviolent expression was personified by Martin Luther King Jr.; and made inevitable the historic civil rights legislation of 1964 and beyond.

The *Brown* decision is the link between past, present, and future generations of Americans who are reminded that our history moves forward not only as a result of the actions of our leaders but also from the actions of ordinary Americans who in their everyday lives struggle to achieve a more just and equal way of life for themselves and their children.

I think it is absolutely right that the Brown case is a singular, and maybe the most important, example of the general American ethos. I think, however, it should not be lost in the general American ethos. The Brown case should be set forth as the Brown case and as part of a continuing struggle of black people to assert their identity, to be an equal and full partner in that experience. . . . Once you do that, then I think you can say that out of that comes, as did happen, the rights of Chicanos, the rights of Puerto Ricans, the rights of Asians, the rights of women, the rights of gay people, the rights of handicapped, the rights of the environment, and all those other things. They, in a direct line of descent, flow from all that. All those movements came out of Brown. And then international human rights. I think you've got to start with the core.

Jack Greenberg, lawyer for NAACP Legal Defense and Educational Fund, at Interpretive Themes Workshop, December 1993



Photo: UPI/Bettman Newsphotos



Photo: UPI/Bettman Newsphotos



Photo: UPI/Bettman Newsphotos



Photo: UPI/Bettman Newsphotos

Civil Rights Movement

The Brown case galvanized the civil rights movement, leading to more than a decade of unparalleled advances in the fight against racial discrimination.

1. Elizabeth Eckford tried to enter Central High School in Little Rock, Arkansas, on September 4, 1957. Eckford and the other black students were unsuccessful, and President Eisenhower had to federalize the National Guard.

2. President Eisenhower was compelled to enforce the *Brown v. Board* decision by using federal troops in Little Rock, Arkansas. Here, white students look on as heavily guarded Negro students climb steps on their way to classes at Central High School on September 26, 1957.

3. In Anniston, Alabama, passengers of this smoking Greyhound bus, some of them members of the Freedom Riders (a group sponsored by the Congress of Racial Equality), sit on the ground after the bus was set on fire on May 14, 1961, by a mob of whites who followed the bus from the city.

4. During a 1963 mass rally protesting segregation in Birmingham, Alabama, these three hold hands for strength against the water. The force of these streams of water, used by riot police, sent many demonstrators to the ground.

5. Nashville, Tennessee, November 25, 1962 – Service refused.



Photo: AP/World Wide Photos



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7



8



9

6. Birmingham, Alabama, in 1963
7. and 8. Marchers from Selma to Montgomery,
Alabama, in 1965
9. Birmingham, Alabama, in 1963

All photos: AP/Wide World Photos



Photo: AP/World Wide Photos

10



Photo courtesy J.A. DeLaine Jr.

11

10. Jackson, Mississippi – Whites assault restaurant lunch counter sit-in demonstrators on June 12, 1963.

11. Participants in *Briggs v. Elliott*, one of the five cases consolidated by the Supreme Court. Harry Briggs, in the plaid shirt in the center of the back row, stands with his parents.

INTRODUCTION

Before lawyers can win cases there have to be clients willing to stand up for their rights. The American blacks who proved willing to fight segregation and discrimination were organized for the most part by the National Association for the Advancement of Colored People (NAACP), in an environment hostile to change in the kind of justice afforded blacks.

(Greenberg 1994)

On May 17, 1954, the Supreme Court of the United States unanimously declared that "separate educational facilities are inherently unequal" and, as such, violate the 14th amendment to the U.S. Constitution, which guarantees all citizens "equal protection of the laws."

The Supreme Court decision was the result of a challenge by the NAACP's Legal Defense and Educational Fund. Cases were brought on the behalf of African American schoolchildren who were denied access to their neighborhood schools for white children.

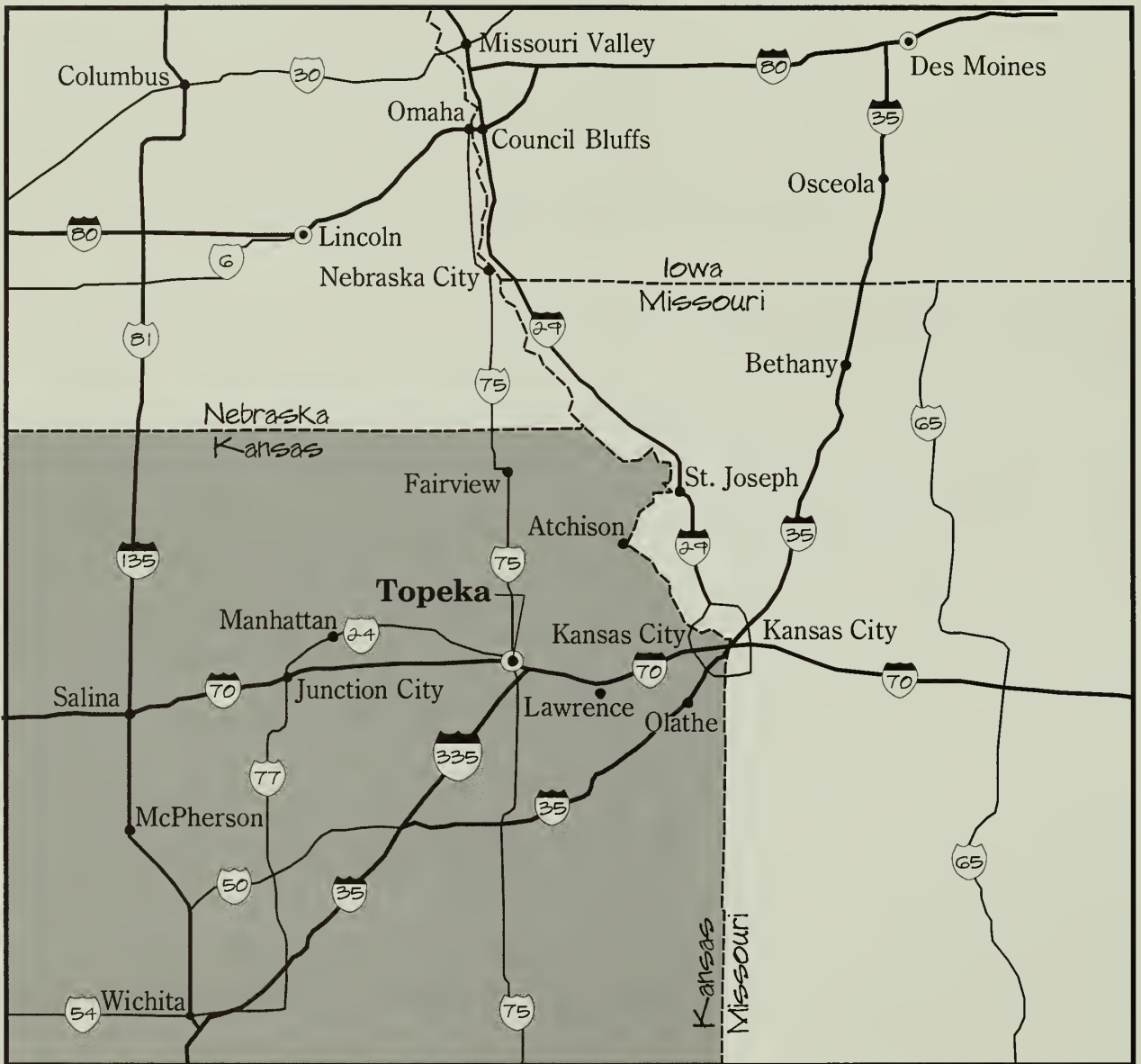
One of these cases was brought in Topeka, Kansas (see Region map), by a local NAACP chapter. Among the plaintiffs was Oliver Brown, whose daughter was denied admission to Sumner Elementary School, an all-white school near their home. Because of segregation she was forced to attend Monroe Elementary, a school for African American children that was almost 2 miles away. Oliver Brown joined 12 other plaintiffs in Topeka to challenge an 1879 Kansas law that permitted segregation of races in elementary schools. Children of the Topeka plaintiffs had to travel past and away from nearby schools to attend one of four schools designated for African Americans. The case was filed in February

1951 and was titled *Oliver Brown et al. v the Board of Education of Topeka*.

The Kansas case was an unsuccessful challenge to the law affecting Topeka public schools, and it was appealed to the U.S. Supreme Court. Similar NAACP cases were already pending before the U.S. Supreme Court. In Delaware the *Belton v. Gebhart* and *Bulah v. Gebhart* cases involved schools for Negroes that were "inferior with respect to teacher training, pupil-teacher ratio, extracurricular activities, physical plant, and time and distance involved in travel."

In the District of Columbia the *Bolling v. Sharpe* case involved junior high youths who were refused admission to white schools when their school was grossly unequal in physical condition, located in a rundown part of town, and lacking in adequate educational materials. In South Carolina the *Briggs v. Elliot* case involved 20 African Americans who sought better schools than their wooden shacks, transportation and educational provisions that met basic needs, and equal teachers' salaries. In Virginia the *Davis v. Prince Edward County* case involved 117 African American high school students who chose to strike rather than attend a building that needed repair and indoor plumbing.

These five Supreme Court cases were consolidated, and the *Brown v. Board of Education* case became the lead case. (Note: Hereafter this case and story will often be referred to as the *Brown* case, decision, or story.) The Supreme Court decision on *Brown v. Board of Education* reversed an 1896 Supreme Court decision (*Plessy v. Ferguson*) that permitted "separate but equal" in the use of public transportation facilities. In 1954 the Supreme Court concluded that separate educational facilities are inherently



Region

**BROWN V. BOARD OF EDUCATION
NATIONAL HISTORIC SITE**

United States Department of the Interior/National Park Service
462/20000/DSC/July 95

unequal, thus effectively denying the legal basis for segregation in the 21 states with segregation laws and segregated school-rooms and starting a revolution in the legal status of black Americans that continues to this day.

The location and quality of facilities of the schools in Topeka and the quality of education they provided to African American children were material to the finding of the Supreme Court in the *Brown* decision. The facts that the teachers' salaries were equal in the schools and the black teachers in Topeka were often better educated than the white teachers was also important. The essential question in the case was then no longer whether segregated facilities were equal (as had been argued in previous cases); separateness itself was on trial. The other four cases demonstrated inferior facilities for blacks, which was generally the case wherever segregation was mandated.

The *Brown* decision had, and continues to have, ramifications in virtually every community and state in this country as well as throughout the world, and it is one of the foundation blocks for the civil rights movement. A more detailed history of the events and history that led to the *Brown* decision is in appendix A.

HISTORIC SITE ESTABLISHMENT

On October 26, 1992, *Brown v. Board of Education* National Historic Site was established in Topeka, Kansas, by Public Law 102-525 to commemorate the landmark Supreme Court decision that ended segregation in public schools (see Vicinity map and appendix B). The national historic site boundary includes the Monroe School building and adjacent grounds, which have been acquired by the National Park Service.

The legislation directs administration of the historic site and defines the purposes of

the site. The legislation also permits the acquisition (on a willing-seller basis) of personal property associated with and appropriate for interpreting the historic site — that is for telling the site's significant story to the public through interpretive media such as exhibits, brochures, ranger-led tours, films, etc.

The legislation also permits the development of cooperative agreements with private as well as public agencies, organizations, and institutions to further tell the story of the integration of public education in the context of the civil rights movement to ensure that the full story of the events that preceded and followed the historic U.S. Supreme Court decision could be preserved and told. Such agreements may be sought with public and private agencies and organizations within or outside Topeka that are responsible for and interpret associated resources.

PURPOSE OF AND NEED FOR THE PLAN

The National Park Service is required to prepare general management plans to guide administration and development of units in the national park system. These plans provide guidance for NPS managers, generally for 10 to 15 years, on how to protect a park unit's natural and cultural resources while providing opportunities for visitors to understand, enjoy, and appreciate the reasons for which the park or site was established — in this case to commemorate the landmark Supreme Court decision that ended segregation in public schools.

The purposes of this *General Management Plan* for *Brown v. Board of Education* National Historic Site are to

- provide a framework to accomplish legislative objectives

- identify and involve appropriate constituencies for advice on major decisions
- recommend ways to protect significant resources
- relate development to preservation and interpretation needs
- identify the site audiences and determine how to best communicate major messages
- prepare the groundwork for drafting cooperative agreements with appropriate agencies and organizations to ensure preservation and interpretation of the historic site and its stories

This *General Management Plan* represents the combined efforts of the National Park Service; representatives of the state of Kansas, Shawnee County, the city of Topeka and its residents; and the people from all over the country who sent in the response forms in the planning newsletters. It also represents the efforts of the participants in a December 1993 workshop, many of whom took part in the actual events that led up to and through the court case and/or who have dedicated their lives to seeing that the promises inherent in the *Brown* decision are fulfilled.

The purpose of a development concept plan is to describe in greater detail the proposed development that will occur at the site. The development concept plan provides the basic development recommendations from the planners to the designers and provides the bridge between planning and design and ultimately whatever construction is necessary to fulfill the development proposals in the general management plan.

The environmental assessment included as part of this plan analyzes the potential environmental effects of the proposal and is prepared in accordance with the National Environmental Policy Act of 1969.

SIGNIFICANCE OF THE SITE

The significance of Brown v. Board of Education National Historic Site and the story to be told is at the core of American history and what we as Americans are all about. The story represents a chapter in the maturation of America. The decision in the *Brown v. Board of Education* case reaffirmed the sovereign power of the people of the United States in the protection of their natural rights from arbitrary limits and restrictions imposed by state and local governments. These rights are recognized in the Declaration of Independence and guaranteed by the U.S. Constitution.

This case was one in a long series of civil rights cases filed by African Americans. The outcome provided an important impetus for this country's civil rights movement. Not only was the decision a turning point for African Americans in their struggle for equal rights, it was also a milestone and an example for all citizens who had been deprived of fundamental rights. As a result of the *Brown* decision, the promise given to all of the people under the 14th amendment to the Constitution for equal protection under law, was again affirmed and guaranteed.

The *Brown* decision has touched and affected the lives of all U.S. citizens. The far-reaching social and ideological implications continue to be felt throughout our country.

Monroe and Sumner Elementary Schools comprise a designated national historic landmark in recognition of their roles in the events leading up to the Supreme Court decision. Segregated schools and the quality of education they provided were material to the Supreme Court decision. These schools symbolized the harsh reality of discrimination under the doctrine of separate but equal (allowed by the 1896 decision in *Plessy v. Ferguson*) and the promise of equality embodied in the 14th



Vicinity

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amendment, which was not realized until after the 1954 decision.

PURPOSES OF THE NATIONAL HISTORIC SITE

The purposes of Brown v. Board of Education National Historic Site, as stated in Public Law 102-525, are to

- preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public education
- interpret the integral role of the *Brown* case in the civil rights movement
- assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement

ASSUMPTIONS

Several assumptions have been made for this *General Management Plan* for Brown v. Board of Education National Historic Site. In tandem with the goals of the plan (see below), these assumptions are a guide for understanding what may be feasible at the site.

Planning

- Public, state, and local agencies and private institutions will be involved in every planning step. Among these will be the Kansas State Historical Society and the city of Topeka.

Site Resources

- The NPS boundary protects Monroe School, but several sites important to the story in Topeka, including Sumner School, are outside the historic site boundary. Sumner School could become threatened in the future.
- The period of significance for the school is 1950–1955.
- The architecture of the building will not be the focus of interpretation.
- Maintaining a residential community around Monroe School is desirable.

Visitor Experience

- The interpretive story is very important.
- The story is emotional, controversial, and complex.
- This story is related to other federal, state, local, and private cultural resources throughout the country.
- Visitor services will be provided in Monroe Elementary School.
- A high proportion of visitors will be schoolchildren.

Site Operations

- The national historic site will have a staff of seasonal and permanent employees.
- Archival collections will be maintained in cooperation with other existing repositories.
- City-owned Cushinberry Park will be improved and will be used to enhance the national historic site.

MANAGEMENT OBJECTIVES AND ACTIONS

Management objectives, prepared for each NPS unit, provide a framework for conserving site resources, integrating the site into its surrounding environment, and accommodating public use in accord with

NPS management policies. The following are the management objectives for the *Brown v. Board of Education National Historic Site*. The actions following are statements of how to achieve the goals.

Interpretation

Visitors will understand the far-reaching implications of *Brown v. Board of Education*, the importance of participating in the democratic process to secure fundamental rights, and the sacrifices people have made and continue to make to secure these rights.

Actions: Define interpretive themes and programs that accurately portray the significance of *Brown v. Board of Education* and the perspectives of various groups regarding the case, including divergent views of African Americans both before and after the decision was handed down.

Relate both the positive and negative effects of the decision.

Interpret the case in the context of the ongoing civil rights movement.

Provide a variety of interpretive and visitor services.

Provide exhibits that effectively convey the story and are easily maintained.

Provide interpretive information for visitors who arrive after the building/site is closed.

Offer interpretive programs in local schools and at sites throughout the country that are related to the case; coordinate interpretive programs to ensure that the story is told fully and accurately.

Maintain information about other national park system units, as well as

state, local, and private facilities, that are related to this story.

Resource Preservation

Monroe School and its grounds will be protected and used for visitor purposes, and other sites in Topeka that are related to the *Brown* case and the civil rights movement will be interpreted.

Actions: Restore the exterior of Monroe Elementary School to the period of significance (1950-1955) and rehabilitate the interior for adaptive use.

Complete a cultural landscape report, historic resource study, and historic structure report.

Design interior spaces that are flexible and that can be used for a various programs and functions.

Ensure that uses are compatible with the building.

Assist private and public organizations in preserving other resources within the city of Topeka that are related to the *Brown* case and the civil rights movement.

Education

Information related to the purposes of the national historic site will be provided to the public to enhance educational opportunities.

Actions: Provide access to a reference library for materials related to the case for researchers, students, and the general public.

Develop cooperative agreements with existing repositories and provide access to original resource materials related to the national historic site.

Visitor Safety

Brown v. Board of Education National Historic Site will be designed and operated to ensure a safe environment.

Actions: Provide universal accessibility to Monroe Elementary School.

Provide safe and easily accessible parking and other facility functions and services.

Partnerships

The National Park Service will maintain strong partnerships with the local community, the city and county, and the state, as well as with other agencies and private organizations to provide for associated resource protection, interpretation, and visitor services.

Actions: Maintain an ongoing, positive relationship with the surrounding neighborhood and the greater community of Topeka.

Establish cooperative agreements with appropriate entities.

Advocate maintaining the residential character of the neighborhood surrounding the site.

Encourage staff to participate in community groups and organizations.

SITE RESOURCES — MONROE SCHOOL

The School

At the time of its construction, Monroe School was one of four elementary schools in Topeka serving the black community. The other elementary schools for black children were the Washington School, which no longer survives, the McKinley

School, and the Buchanan School. The McKinley and Buchanan Schools survive, but they are no longer owned by the Topeka Board of Education. The McKinley School is used as a storage building, and the Buchanan School was remodeled for use as an office building.

Like its counterparts, Monroe Elementary School reflects a time of prosperity and concentrated civic improvement in Topeka. Newspaper accounts at the time indicate a desire by the Topeka School Board to replace aging schools with modern and progressive buildings. Built in 1926, on a lot adjoining an older eight-room elementary school building of the same name, the school was considered modern both in materials and design.

Designed by the prominent Topeka architect Thomas W. Williamson, whose firm specialized in academic buildings, the Monroe structure incorporated the latest amenities and facilities for the empirical and scientific education of children. In addition to the new larger and linear design for the building, the architect selected the finest of modern and prefabricated materials, including structural tile walls, poured-in-place structural concrete slabs, terrazzo floors, steel window sash, standard wooden doors and moldings, expanded steel lath, modular brick, and precut limestone panels. The use in the 1920s of the popular Italian Renaissance style relates both to the newly available technology of veneer masonry and the desire to capture the spirit of the high Renaissance in education.

Monroe had 13 classrooms, including a special kindergarten area, and offices and a gymnasium/auditorium. Most of the original interior finish materials in the school survive. Maple flooring, terrazzo, tile wainscot, gouge-resistant plaster walls, obscure glass doors, simple oak moldings, and the outlines of slate chalk boards testify to 50 years of institutional use. Although some of the walls separating

classrooms have been removed, the interior and exterior of the building maintain a high degree of structural and architectural integrity. Monroe School is essentially the same today as it was in the early 1950s.

The building itself provided material evidence for arguments presented in hearings before the U.S. District Court in Topeka and the U.S. Supreme Court. Attorneys used comparisons of the city's elementary school buildings, faculty, and educational materials to document the rather equitable conditions in Topeka, thereby highlighting racial separation as the primary issue in the Kansas case.

Monroe School was designated as part of a national historic landmark in 1991 for its significance in the civil rights movement in the United States. The building, on its 1.85-acre lot, faces a large grassy park and is in a residential and low-density commercial/industrial neighborhood (see Existing Conditions map).

Monroe School was closed in 1975 due to declining enrollment. The school was purchased by the National Park Service in December 1993, but it is not occupied or open to the public. Viewed in context, Monroe School is connected to the *Brown* case and has a quality, simplicity, and clarity of design that forms a backdrop to support interpretation.

The Cultural Landscape

The cultural landscape of Monroe School consists of the property itself and the individual features and components that gave the property its simple, vernacular character during its period of significance, the early 1950s. Specific features and components include the Monroe School building, the level playgrounds on the north and south sides of the building, the small parking area behind the building, the concrete courtyard area at the building entrance, the open playground and

backstop on the adjacent lot, the flagpole, the fairly open views from the northeastern corner of the playground, the residences on the south and west sides of the school lot, all the sidewalks and steps on the school lot, Monroe and 15th Streets adjacent to the school lots, the alley on the west side of the school lot, and the railroad right-of-way on the east side of the playground.

These landscape features and components are simple and vernacular in character, appear representative of Topeka elementary schools of the period, and reflect national trends in educational "play" theory. This theory was based on the belief that outdoor recreation was for helping develop a child's moral character.

During the early period of Monroe School, the 1920s–1930s, children were often segregated by sex in separate playgrounds. At Monroe, this early practice is reflected in the building, with an exit from the girls' bathroom leading to the south playground, and an exit from the boys' restroom leading to the north playground. By the period of significance, however, this practice of segregation by sex had declined, and building and playground use was organized by age group.

The south playground was used by the primary grades (kindergarten, first, and second), and the north playground was used by the intermediate grades. The concrete courtyard in front of the main entrance was used for hopscotch, 4-square, jump rope, jacks, etc. The grassy playground across Monroe Street (east) was used in several ways. It was used by the older grades, particularly the boys, for softball, baseball, track, and football. It was also used for organized track and field events for all of the black schools in Topeka. This playground was used as a play area for several years before its purchase by the city in 1934. The overall organization and visual character of the existing landscape reflects the historic character. The small-scale details,

particularly the playground equipment, are missing.

CHALLENGES FOR PLANNERS

Visitors to more traditional units of the national park system usually visit the orientation / visitor center and then see "the park." At Brown v. Board of Education National Historic Site, however, Monroe School must function as the orientation / visitor center and also as "the park." It is the planners' premise that the visitors' experience at the site should be much more than just entering a former neighborhood school, seeing a few exhibits, and reminiscing over a restored classroom or two that may evoke childhood memories. The experience at Brown v. Board of Education National Historic Site should be an experience of the mind, the soul, and the heart. Visitors should be challenged and provoked as they realize that the struggle of the people depicted at the site is not just the struggle of a minority; it is the struggle of all American people to bring to fruition the promises set forth in the Bill of Rights.

ISSUES TO BE ADDRESSED IN THE PLAN

Developing a clear understanding of the events that led up to the 1954 decision and how that decision has impacted this country and identifying how to best communicate that story are the major challenges of this planning effort. This management plan should address what needs to happen to preserve and protect the resources of the site and interpret the story and to provide for visitor use. Specific issues to be discussed will include the following.

Treatment of Building and Grounds

Monroe School has not been used for several years. The grounds have evolved into open grassy areas. The plan must

assess proper treatment of the grounds and building.

Other Community Planning Efforts and Adjoining Land Use

Historically, the neighborhood around Monroe School was residential; nearby Cushinberry Park, owned and managed by the city and just east of the school, was a popular neighborhood park. In recent years the neighborhood has evolved into a mixed residential / light industrial / commercial area, and Cushinberry Park is in a state of disrepair and is seldom used by area residents.

Several proposals are being made by developers who are interested in commercial development in the downtown area, including areas near Monroe School. Also, a new magnet school is being constructed one block north of Monroe School. The National Park Service must determine what effect(s) these conditions might have on the visitor experience and evaluate ways to work in partnership with others to mitigate these effects if desirable.

Site Administration, Operations, and Staffing

Staffing at the site consists of the superintendent, administrative officer, chief of interpretation, and a seasonal secretary and maintenance worker. This staffing level will not accommodate the expected increase in visitor use after the school is open to the public. The plan must evaluate what staffing level is needed to meet NPS goals.

Most maintenance work is being contracted out, and the National Park Service is renting offsite office space. The plan must assess if these are the most efficient and cost-effective ways to accomplish NPS goals.



Existing Conditions

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Existing Conditions



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Visitor Access

There is no information about the national historic site in the tourist information literature, and there are no signs on the highway that tell visitors how to get to the site. *Brown v. Board of Education* National Historic Site is only one of many visitor attractions in Topeka. However, the presence of this national park system unit and the numbers of visitors it will ultimately attract provide an added incentive for Topeka to present itself to those visitors as well. This information should be available, and the plan must present ways to achieve this goal.

Visitor Use

The site is currently not open to visitors, although some tours can be scheduled with prior appointments. The only interpretive media to explain the *Brown* story are a portable exhibit and a site bulletin. The plan must assess what is needed to open the site and tell the *Brown* story in a manner consistent with NPS standards.

Parking

The National Park Service must ensure that there is adequate parking for visitors and employees. After estimating parking needs, the plan must assess the limited existing parking spaces within a reasonable walking distance and whether those would prove sufficient without causing neighborhood disruption. If it appears that additional spaces are needed, the plan would evaluate ways to provide them.

Boundary Adjustments

The plan must assess if a boundary adjustment is needed.

Cooperative Agreements

This management plan must address the establishment of cooperative agreements with owners/managers of resources related to the story as stipulated in the legislation.

Community Impacts

Topeka might experience some impacts associated with establishing a national park, such as increased visitation and traffic and demand for lodging. These impacts must be identified and addressed.

Sumner School

Sumner School, which is part of a national historic landmark with Monroe School, will be closed at the end of the 1995–1996 school year by the Topeka school board, and the board has approached the National Park Service about possible NPS acquisition and/or use of the building. The National Park Service must determine what, if any, uses it would have for the school and what type of protection might be desirable.

Carrying Capacity

The amount of and kind of visitor use permitted at Monroe must be influenced by and balanced with the need to preserve and conserve the structure and grounds. The proper carrying capacity for the site and strategies for not exceeding this capacity must be determined.

INTERPRETATION AND VISITOR EXPERIENCE

The landmark U.S. Supreme Court decision, *Brown v. Board of Education*, is considered by many scholars to be one of the three most important decisions of the Supreme Court. The National Park Service

is committed to telling the complete story of the court cases, the Supreme Court decision, the contexts of the cases around the country, and the roles of the cases in the American civil rights movement and in global efforts for human rights.

The story of *Brown v. Board of Education* is complex, emotional, and often controversial. Visitors will bring diverse experiences, knowledge, backgrounds, opinions, and values. The scope of the *Brown* story extends far beyond the boundaries of this historic site and the Monroe School and beyond Topeka. Therefore, an effective interpretation and education program is critical to telling the *Brown* story.

Interpretive Themes

The following interpretive themes are the ideas, concepts, or stories that are central to the site's purpose, identity, and visitor experience. Every visitor should have access to these interpretive themes. These themes provide the framework and backbone of the site's interpretive program. They provide direction for planners and direction for designers of exhibits, publications, and audiovisual and personal programs. Below are summaries of the most important components of the *Brown* story. The complete interpretive themes can be found in the *Interpretive Plan*.

1. The Verdict — On May 17, 1954, in the *Brown v. Board of Education of Topeka* case, the United States Supreme Court unanimously declared "We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal." This was one of the most significant decisions ever made by the Supreme Court; it changed the lives of people around the world.

2. The Effects — The 1955 *Brown II* decision, which directed states to implement the *Brown* decision "with all

deliberate speed," was met with varying responses throughout the country; although progress has been made since then in many areas, racial inequality of educational opportunity continues today.

3. Civil Rights — *Brown v. Board of Education* illustrates the struggle of the American people to achieve basic guarantees of full civil rights for all citizens.

4. The People — The Supreme Court decision was a culmination of the actions and commitment of ordinary citizens as well as leaders and jurists.

5. The Context — The Supreme Court decision was also a product of social and legal history, of the evolution of public attitudes and beliefs, of 58 years of Court-sanctioned segregation and inequality in education, of the regional dynamics in Delaware, Kansas, South Carolina, Virginia, and the District of Columbia, of national politics, and of global trends following World War II.

6. The Constitution — In *Brown v. Board of Education*, the Supreme Court addressed issues relating to the exercise of the sovereign power of the people of the United States to protect their natural rights from the arbitrary restriction and limits imposed by state and local governments.

7. The Common Denominators — The laws and policies that were struck down by the Supreme Court decision were products of the human tendencies to prejudice, discriminate, and stereotype other people by their racial, ethnic, religious, or other physical, behavioral, or cultural characteristics.

8. Human Rights — The decision in the *Brown v. Board of Education* case and other civil rights activities in the United States inspired and galvanized human rights struggles around the world.

Visitor Experience Goals

The following visitor experience goals describe what experiences (cognitive, emotional, active, and sensory) the National Park Service would like to make available for visitors to the national historic site. Like interpretive themes, these goals provide direction for facility, landscape, and media designers, as well as for programs and partnerships.

The National Park Service would provide opportunities for visitors to

- learn the interpretive story, to the depth that they choose, through thematic interpretive media, a reference library / media center, programs, and other activities that are presented in ways that are meaningful and accessible to all visitors
- consider different perspectives of issues relating to the site story
- visit and understand the significance of other sites associated with the site story, including areas of the neighborhood surrounding Monroe School and the exteriors of sites such as the Sumner School and the U.S. District courtroom
- understand and visualize the settings associated with the decision, including the disparities in communities and schools in the other four cases (in Delaware, South Carolina, Virginia, and the District of Columbia) that constitute the *Brown* decision, and the appearance of Topeka (especially the neighborhoods around Monroe and Sumner Schools) around 1950
- better understand their obligations as citizens of a democracy and their ethical responsibilities to themselves and others
- have access to in-depth information on related topics such as legal and constitutional history, civil rights, and the sociology and psychology of discrimination
- communicate with scholars, students, participants, and others involved or interested in equality in education and other civil rights issues
- learn about other sites that preserve and interpret related topics, including (but not limited to) the Birmingham Civil Rights Institute, Women's Rights National Historical Park, Independence National Historical Park, Martin Luther King, Jr., National Historic Site, Manzanar National Historic Site, and Frederick Douglass National Historic Site (see appendix C for further information)
- have a safe, beneficial, and enjoyable visit

The Audience

Two general types of site visitors can be anticipated: individuals and organized groups. Public visitation will be mostly from Kansas and neighboring states (a pattern common to most national park system areas), but a significant number of visitors will come from outside the region. Many will be drawn by the story. Some might be attracted because of an NPS arrowhead on the highway. Others will be attracted by publicity in travel magazines, newspapers, television, and organizational communications such as newsletters.

Organized groups will include schools, church and community groups, clubs and motor coach tours, and convention attendees. School groups will be a key audience.

THE PROPOSED PLAN

INTRODUCTION

This *General Management Plan* proposes a phased plan for developing and managing the site, opening it to the public, and telling the *Brown v. Board of Education* story. Phase I would meet the minimum requirements needed to open the school for visitors, preserve and protect the resources, and provide for public health and safety. All interpretive themes and most visitor experience goals would be addressed. However, most themes would not be fully interpreted, and the achievement of most visitor experience goals would not be fully realized until phase II was implemented.

With the completion of phase II, the National Park Service would fulfill the vision and goals for the site to the best of its ability. In addition to meeting phase I goals, phase II would enhance resource protection and tell the in-depth story of *Brown v. Board* through a variety of interactive interpretive media and personal services. The implementation of both phases would be done as funding became available.

The following plan presents the National Park Service's proposed plan and its preferred resolution for the issues that were identified earlier in this document. However, for some issues, such as visitor parking, other options were available and were considered during the planning process. The "Other Options Considered" section at the end of this section provides a summary of these options and the reasons that the options were not selected.

ACTIONS COMMON TO BOTH PHASES

Certain actions would be common to both phases; these actions are described below.

Management Zoning

Based on NPS policies, site resources, desired visitor experiences, and proposed uses, the National Park Service would manage the lands within the Brown v. Board of Education National Historic Site as a historic zone; permitted activities in this zone include site operations, management functions, and visitor use.

Access and Signs

There would be two primary ways to access the historic site. One would be from the Adams Street / Branner Trafficway exit off of I-70, south to 15th Street, and west past Cushinberry Park to Monroe School. This is the most direct access off I-70 and would be used primarily by visitors traveling from outside the local area.

The other way would be to direct visitors to Kansas Avenue (through the central business district) and south to 15th Street. From 15th Street visitors would turn east to 15th and Monroe.

The National Park Service would install a sufficient number of directional signs and provide technical and financial assistance to the city and other tourism entities to develop additional signs and information for the national historic site and other tourist attractions. Signs on I-70 would guide traffic directly to the site, which would avoid high-volume intersections. See "Other Options Considered" section for other methods of developing signs that were considered.

Parking

From 15th and Monroe, visitors would turn into the parking area on the north side of the road that is immediately across the

street from the school. The National Park Service would lease this proposed city-built parking area just north of Monroe School for visitor parking (see Development Concept Plan map). It was determined that 45–50 parking spaces and 3–5 bus / RV parking spaces would be needed for visitor use. The property owned by the National Park Service would not be adequate. Because the city is willing, rather than seeking a boundary adjustment it was decided to let the city take the lead in providing a parking lot close to the school, which the Park Service would lease. Other options were considered for parking (see "Other Options Considered" section). Also, see the "Boundary Adjustment" section.



The Neighborhood and New Development

The National Park Service would provide technical assistance to the city/neighborhood to retain the ambience of the neighborhood as a residential area and ensure compatible uses. The National Park Service would also provide technical assistance to the city/neighborhood as they improve Cushinberry Park. See also the "Other Options Considered" section.

Monroe School

Following the recommendations in the historic structure report (to be completed in 1997), the exterior of the Monroe School

building would be restored to the appearance of the school circa 1950, its primary period of significance. Taking into consideration the information gleaned from a cultural landscape report, the school grounds and the adjacent land east of the school would be maintained to be compatible with the exterior appearance of the building and new use of the site. Some staff parking would be behind the school. See also the "Other Options Considered" section.

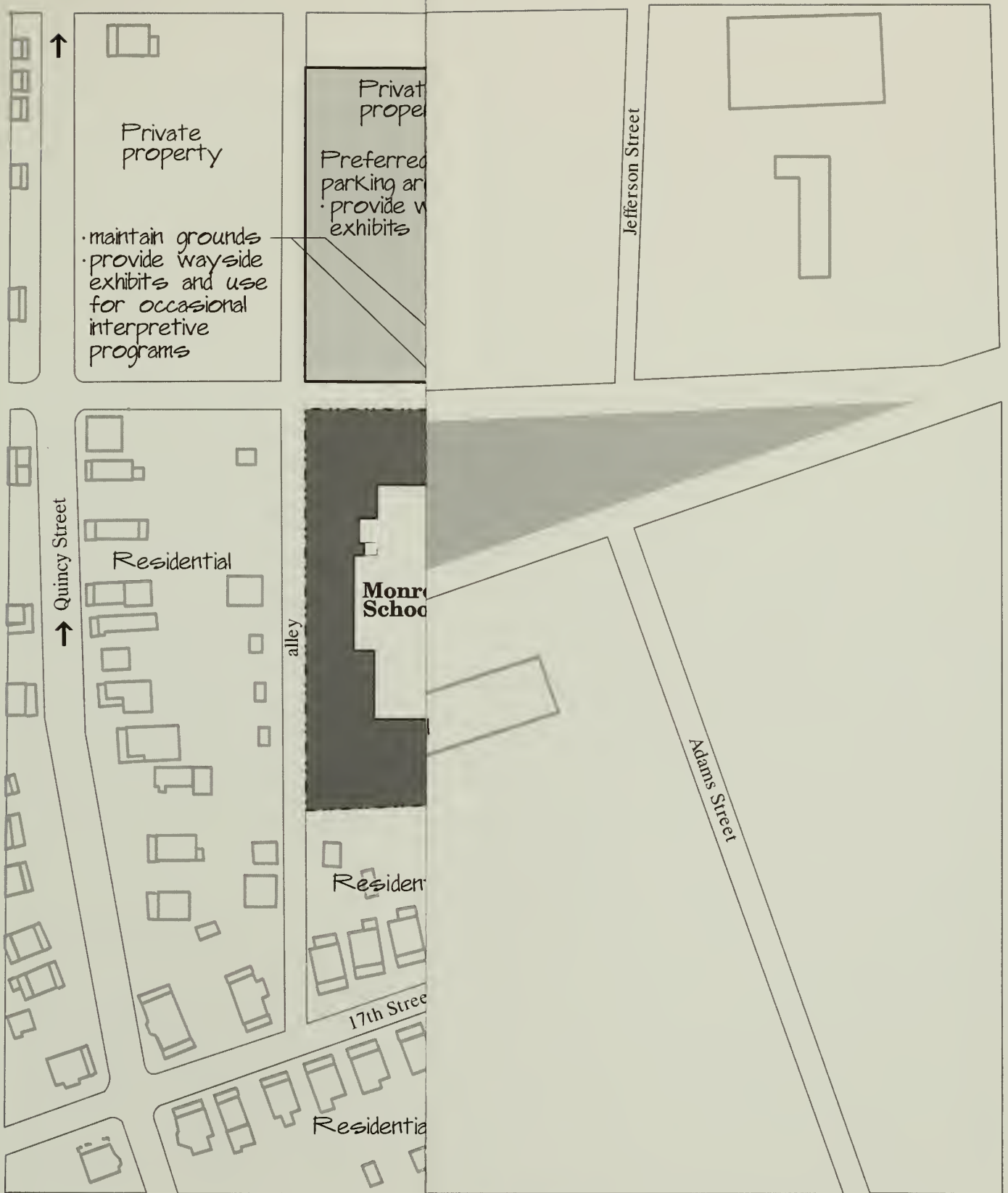
The interior would be rehabilitated for visitor information and orientation, interpretive exhibits, NPS administrative offices, and offices for the cooperating association. Interior wall, floor, and ceiling treatments would be restored approximately to circa 1950 to maintain a traditional school ambience. The restoration of the school interior would not attempt to faithfully re-create the building as it was in 1950. Alterations would be undertaken to facilitate visitor use.

The building would convey an identity as a school, but it would also serve as the visitor center and an education center. The school would be more a backdrop, a stage for the larger story of the *Brown v. Board of Education* case. But there should be a sense of place and a feeling for the original school and its place in the community. Restoration that includes facsimiles of original wall treatments and classroom blackboards would be more appropriate than a 1990s office building motif.

Carrying Capacity

Carrying capacity is a measure used by the National Park Service to ensure that the integrity of its resources is not overly impacted by visitors and that the quality of the visitor experience is not diminished by overcrowding.

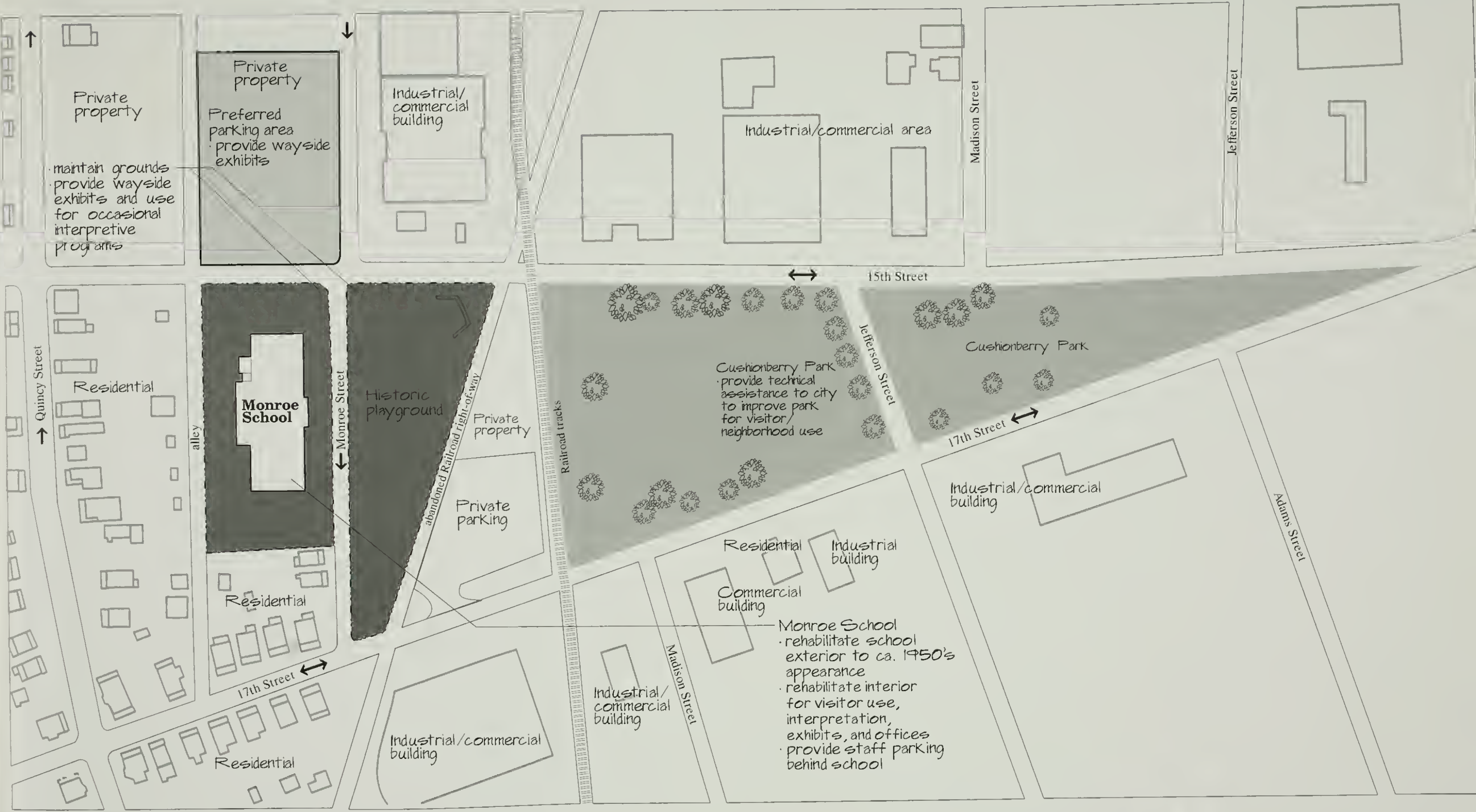
One factor to be considered in determining carrying capacity is the structural capacity



Development Concept Plan

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**Development
Concept Plan**
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of the building. Based on the architectural and engineering studies conducted on Monroe School to date, structurally Monroe School is more than adequate for the uses proposed in this *General Management Plan* because it could reasonably accommodate about 700 people in the building at one time.

However, several additional factors need to be considered for determining carrying capacity: (1) visitors must be able to move from one area to another; (2) there is a need for flexibility in providing activities for scheduled groups (e.g., when a program calls for a class to visit the exhibit area, it should be available); (3) it is impossible to exactly choreograph the movement of groups and other visitors; (4) there will be exhibits and other fixtures that reduce overall space; and (5) circulation corridors can be bottlenecks (especially during emergencies). Taking these factors into consideration and applying guidelines that the National Park Service has developed over years of experience, it has been determined that the overall carrying capacity should be about 300–350 in the school at one time on a regular basis. This figure might be need to be adjusted as development proceeds and experience accumulates.

Site Maintenance and Law Enforcement

Routine and minor maintenance work would be done by NPS staff; major site maintenance would be contracted out. The maintenance division would be responsible for the building and grounds maintenance and operation and upkeep of the equipment. A maintenance shed would be on the school grounds or in nearby leased space.

Law enforcement would be used to ensure visitor protection and safety and compliance with NPS regulations. Although the historic site is near downtown Topeka, NPS

personnel would enhance the city's ability to provide security and protection to the site. NPS 9, "Law Enforcement Guideline," requires active law enforcement commissioned rangers to handle (complete case incident reports and investigate) criminal activities within the historic site.

Rangers would patrol the school site to supplement local law enforcement; a ranger presence would deter crime at the site and in the neighborhood and serve as an indicator that applicable regulations are being enforced. Unobtrusive law enforcement techniques, such as electronic sensors, could be used to supplement ranger patrols in late evenings. For electronic devices to be effective, rangers must be available to respond. In addition, law enforcement staff would enhance relations among the National Park Service and its neighbors, schools, and local law enforcement agencies through community-based programs such as Stay-in-School, DARE, educational outreach programs, and community service.

Sumner Elementary School

The school district has approached the National Park Service to determine its interest in the future of the Sumner School building. Sumner, combined with Monroe, are a single national historic landmark and as such Sumner is an integral part of the story. It meets the criteria for being in the national park system. However, the National Park Service believes that it does not need to own Sumner School to adequately interpret its role in this story. The National Park Service would look favorably upon a cooperative arrangement with the school district, the city, and other potential users to lease a portion of the building for administrative and programmatic purposes. If Sumner School becomes threatened, the National Park Service would seek other alternatives for management and protection. These alternatives could include a study to determine under

what circumstances a boundary adjustment would be necessary. Recommendations in the study could include seeking a boundary adjustment to include Sumner School in the NPS boundary.

Boundary Adjustments

Although no boundary adjustment is called for under the proposed plan, two possibilities for the necessity of a boundary adjustment might arise. As mentioned above, seeking a boundary adjustment (among other alternatives) would be considered for Sumner School if it became threatened. Also, if it proves impossible to lease a city-built parking area just north of Monroe School, a boundary adjustment would be considered, along with other options (see "Other Options Considered" section), to provide visitor parking.

Cooperative Agreements

Cooperative agreements would need to be negotiated with owners of certain related sites in Topeka (e.g., the U.S. Postal Service regarding access to the district court courtroom) as well as agencies and organizations outside of Topeka who manage sites and resources related to the civil rights story.

Accessibility

The building, programs, and media would be accessible.

Hazardous Materials

Hazardous materials exist in Monroe School, but not at levels that would pose a public health threat. Limited or total abatement could be implemented, depending on specific recommendations found in the historic structure report. (Also see

discussion of hazardous materials in the "Affected Environment" section.)

OVERVIEW OF INTERPRETATION AND VISITOR USE

Monroe School would comprise the physical resource and would be the primary site for most visitor experiences and interpretation. The story of *Brown v. Board of Education* would be told through interpretive media and programs, which would be developed in phases.

In most national park system areas, the visitor center introduces visitors to the stories and resources and encourages them to see and experience the resources. At this site, because the Monroe School constitutes most of the physical resource and is where most of the story would be told, greater emphasis than usual would be placed on interpretive media and programs. Visitors should have access to various related stories, experiences, and depth of treatment that they choose.

A primary objective of NPS interpretation is to facilitate interaction between visitors and resources; at *Brown v. Board National Historic Site*, the story is the essential resource. Discussing controversial ideas and recounting events would not be avoided simply to avoid controversy. The overall approach would be to present historical information in a manner that would effectively interpret stories and topics that are sensitive, emotional, and often as controversial as segregation, the civil rights movement, and the experience of many African Americans in the United States. It is important to include the latest scholarship available in these fields of study, in addition to perspectives and information that might differ from traditional sources of research and methods of interpretation. Where historians and others differ on the description and interpretation of past events, visitors would have access to the differing perspectives.

The following actions are described in two sequential phases. The exact availability of funding and partnerships cannot be forecast with certainty; actions described in phase II might occur earlier due to unanticipated exigencies and opportunities.

PHASE I

Overview

Overall, the initial goals of phase I would be to preserve the school building and other resources associated with the site story (including oral histories), open the school for visitors, provide for visitor safety, and interpret the basic story to the public and organized groups such as schools.

Visitors would come to the site and learn basic information about the story of *Brown v. Board of Education*. This phase would provide minimal interpretation through site-produced and commercially available interpretive media. A small interpretive staff would be available for programs and other visitor services, including offsite programs. There would be little interpretation of related sites and stories outside the Topeka area and limited publicity about the site's existence. The anticipated average length of stay for visitors at the site would be less than one hour.

The following description of actions to be taken at the site in phase I would be undertaken only in concert with the historic structure report and the cultural landscape report.

Interpretation and Visitor Use

The first phase would implement initial actions needed to provide essential visitor services, tell the basic interpretive story, and provide opportunities for beneficial visitor experiences.

Media such as exhibits, audiovisual programs, wayside (outdoor) exhibits, and publications would be important methods for communicating the site story. These media could provide interpretation efficiently when visitation is sporadic or at low levels. Exhibits and wayside exhibits would be designed and produced mostly by the site staff or by local contractors; further assistance would be obtained from other NPS experts and from partners. Audiovisual programs and publications would include existing commercially produced products as well as programs produced through partnerships. An interim facility treatment and media plan would be needed.

Interpretive programs would include onsite and offsite programs such as interpretive talks and heritage education programs, both to the public and to groups such as schools. Trained volunteers would augment the NPS staff.

The following description of room uses at Monroe School is based on interim needs for visitor use and interpretation.

Entrance. Visitors would enter the front door of the school (see Phase I Potential Floor Plan). There they would be greeted by a ranger or a volunteer and be oriented to the building and the site story.

Gymnasium/Auditorium. This room would be used for interpretive talks, exhibits, meetings, receptions, and audiovisual programs. The center of the room would be left largely open to permit activities with large groups. Most wall, ceiling, and floor treatments would be left in their current state.

Theater. Until a formal theater can be developed, audiovisual programs would be shown on video monitors or projection screens in any of several first-floor rooms.

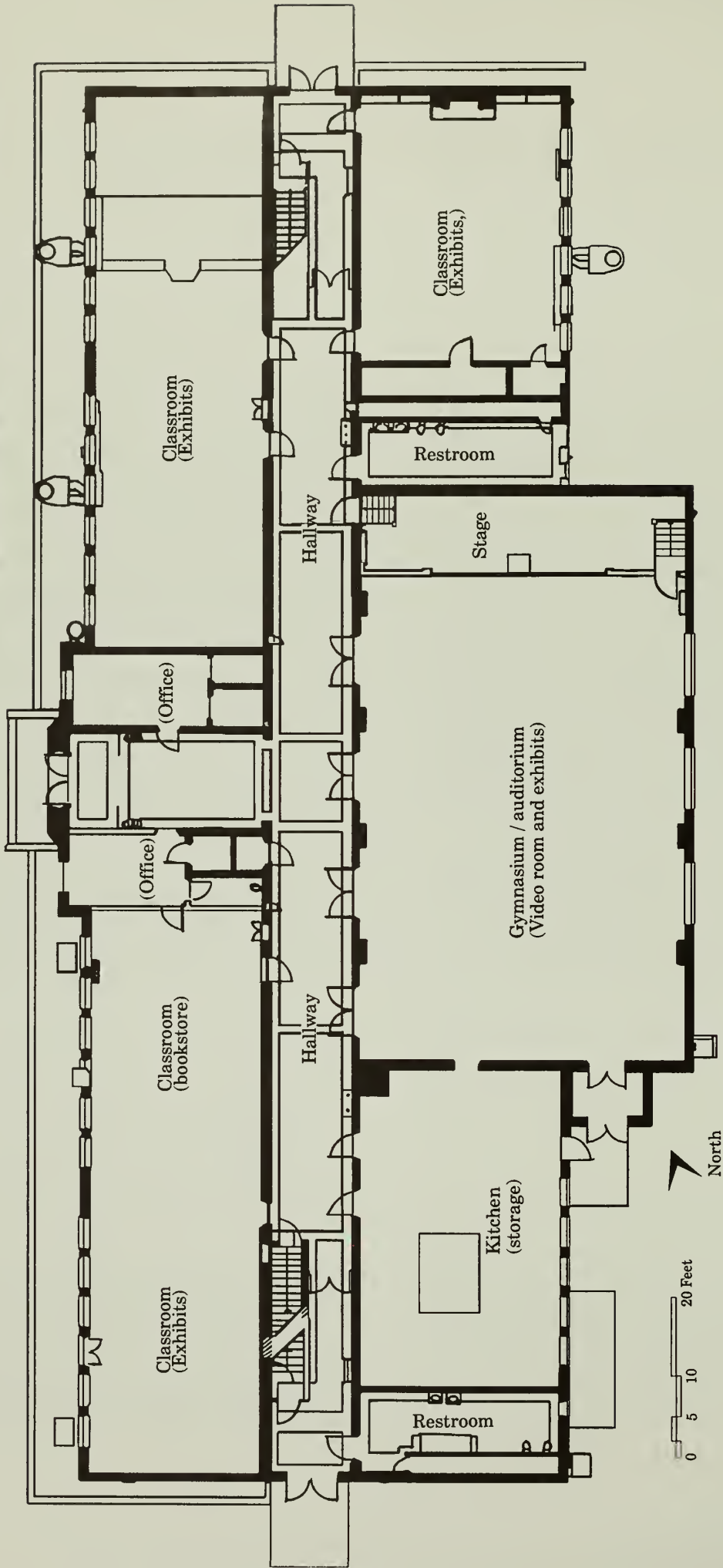
Commercially produced programs and news documentaries relating to the site story

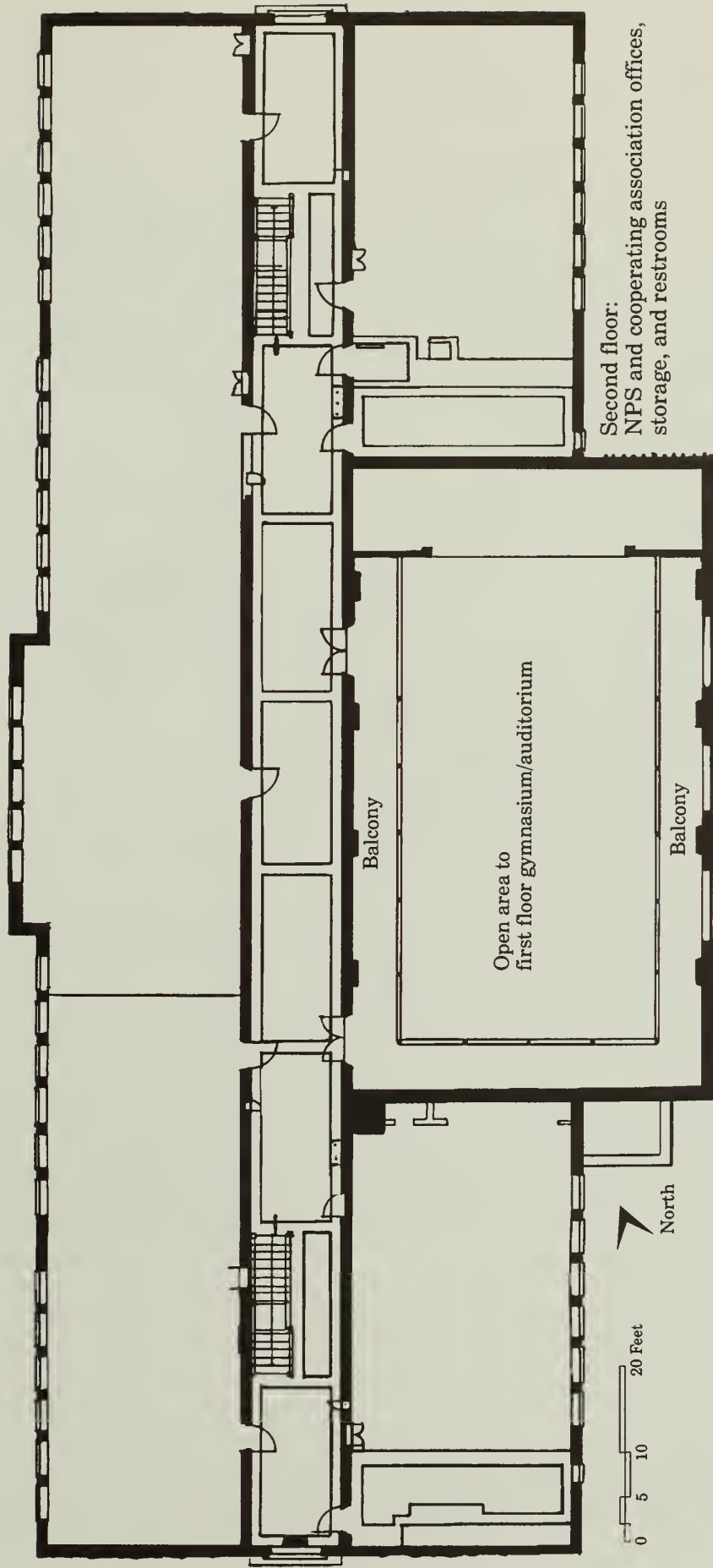
Phase I, Potential Floor Plan, First Floor

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Entrance





Phase I, Potential Floor Plan, Second Floor

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would be shown, as well as slide and video programs produced through partnerships.

Exhibits. Exhibit modules incorporating primarily photographs and text would interpret all themes and describe site significance. They could be installed in the gymnasium/auditorium or in one or more of several classrooms on the first floor. A time line of important events could be part of the exhibits. Most wall, floor, and ceiling treatments of exhibit rooms would be left as they are, with necessary stabilization and cleaning.



Bookstore. This area would provide supplementary interpretive materials for sale. Materials would include publications, postcards, posters, videotapes, CD-ROM programs, educational curricula, and theme-related souvenirs. The bookstore would be operated by a cooperating association. Site publications could include site-produced bulletins on theme-related topics.

Hallway, Offices, and Restrooms. Areas for circulation, offices, and visitor information would be designated by site staff as

needed. Hallways would generally be kept open. One or more rooms on either side of the entrance hall could be used for offices; other areas could be used as well. An accessible area for information, probably near the entrance hall, would be designated. Orientation materials would be available at or near the information area. Restrooms would be on the first floor.

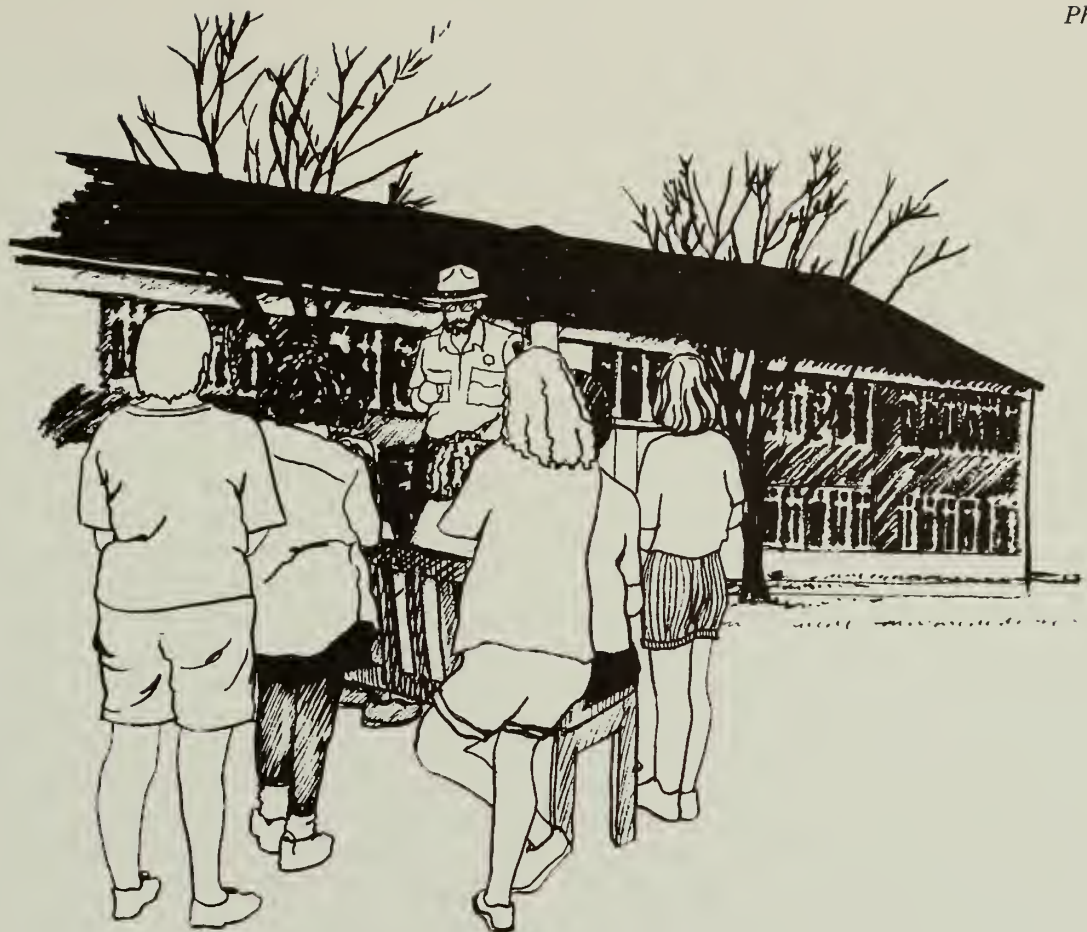
Personal Services. Informal contacts and formal programs would be conducted in the school when basic cleanup and safety efforts were completed. The site staff would work with appropriate agencies to publicize the opening of the site. Offsite programs would be a high priority; groups would include schools, clubs, scouts, and other organizations. Formal onsite heritage education programs and interpretive talks would also be a high priority. Several classrooms could be used for group programs.

Second Floor. Steps would be taken to upgrade portions of the school building's second floor to accommodate minimal administrative offices for site staff and cooperating association offices.

Storage. Many areas would be available for storage on both floors.

Future Studies, Plans, and Cooperative Agreements

A number of plans and studies would be needed in phase I. Among these are (1) an interim facility treatment and media concept design, which would set the overall design parameters for phase I developments; (2) a comprehensive facility treatment and interpretive media design, which would describe in detail the facility treatments and media that will be produced for phase II and which will be needed before phase II can be implemented (this design plan would be based on this *General Management Plan* and the long-range interpretation and visitor experience plan); (3) a historic structure report, which



documents the building's architectural history and would guide the final architectural treatment of Monroe School; (4) a cultural landscape report, which would guide the final treatment of the school grounds; (5) a historic resource study, which would provide additional historical documentation relative to the site's story and resources; and (6) a scope of collections statement, which would guide the site's collection policy. The historic structure report and historic resource study are underway and should be completed sometime in FY 96 (fiscal year) or FY 97.

Staffing

In phase I, the need for staffing would be in the areas of administration and interpretation. The site manager is responsible for determining the staffing levels necessary for meeting site goals. The intent is to provide the best visitor services within budgetary constraints. Within the initial phase of development, a small number of staff might be adequate for meeting the minimum requirements for visitor services and public health and safety.

PHASE II

Overview

Overall, phase II goals would be to continue meeting phase I goals, to enable diverse visitors (children, the elderly, etc.) to understand and appreciate the comprehensive story of *Brown v. Board of Education*, to enhance resource protection through public awareness and commitment, and to provide a variety of quality visitor experiences. Visitors to the site could spend several hours enjoying the various opportunities. Sharply increasing visitation would be expected due to increased activities, publicity, and interpretive media. Visitors would find a variety of interpretive services, designed to effectively serve visitors of different learning styles, ages, backgrounds, and preconceptions.

As in phase I, visitor experience would focus on the central stories rather than the physical resources such as the school or artifacts. Considerable effort and staff would be required to convey often complex and abstract stories in ways that are interesting and accessible. All five cases, as well as the national and international perspectives, would be explained.

Extensive use would be made of audio-visual media and interactive displays, along with the development of video conferencing and a computer resource center with links to universities, other NPS sites, and museums for remote programming, conferences, and research. Educational programs for schools and other groups would be a high priority.

Cooperative agreements would be developed with the managers of associated sites in Topeka to set the context for the Topeka part of the story. A major effort would be made to inform the public about other sites that relate to civil and human rights (see appendix C for examples). An interpretive concept plan, as recommended in NPS-6 *Interpretation Guidelines*, would

be prepared to determine the best way to develop this network.

The following description of actions to be taken at the site under this phase would be undertaken only in concert with the historic structure report and the cultural landscape report.

Interpretation and Visitor Use

The following description of room uses at Monroe School is based on looking at what areas and functions are needed for visitor use and interpretation. To the best of the National Park Service's knowledge at this time, these proposed uses are feasible. If, in future design phases, issues with building codes or design standards develop or if new design solutions that more effectively respond to the goals and criteria in this document were proposed, room uses or functions might change. The NPS Harpers Ferry Center Division of Interpretive Planning would be involved in any changes, and the criteria set forth in this document would still be applicable.



Entrance. The school's front door would remain as the primary entrance. Visitors would be greeted and briefly oriented inside the front door. Most would then move straight ahead into the gymnasium/auditorium, where exhibits would provide

an introduction and overview experience (see Phase II Potential Floor Plan, First and Second Floors).

Gymnasium/Auditorium. This largely open room would generally be restored to its appearance in the early 1950s where that is reasonable and functional with its new uses, which would require flexibility. An overview of the interpretive story in the gymnasium/auditorium would be provided by exhibits with audiovisual media that would be arranged primarily around the perimeter of the room. The center, the stage, and the area in front of the stage would be left open. Some exhibit modules might be arranged around the center of the room, but they would be movable to retain flexibility of use. An important function in the gymnasium/auditorium would be the welcome, orientation, and area/activity assignments of scheduled groups. Up to two busloads (90 people) could be accommodated at one time. After an introduction, small groups could be formed to go to their first activity areas. Other functions would be hosting meetings, receptions, and public programs.

Theater. A formal theater should be immediately adjacent to the gymnasium/auditorium and would feature a video program that would supplement and

reinforce the introductory exhibits. For most visitors, this would be the first area visited after the gymnasium/auditorium.

Secondary functions for this room would be to show other audiovisual programs and present interpretive talks, education programs, and meetings. For all of the functions, this room should have good acoustics, fixed seating, a projection room, a slightly raised stage, and spot- and floodlighting of the stage area. (A sloping floor would be desirable; further analysis would be required to determine if that is feasible.)

Video Conferencing. Video conferencing with other sites, programs, and individuals would be available to the public and to scheduled groups. For example, through these facilities visitors (including school groups) would be able to hear a live program from the steps of the Supreme Court; participate in a discussion or debate with groups from the Birmingham Civil Rights Institute, The Carter Center, or other locations; see actual places where momentous events took place; watch a debate on C-Span or other educational channel; or converse with scholars and others at sites throughout the world. When live programs were not available, taped programs could be played.

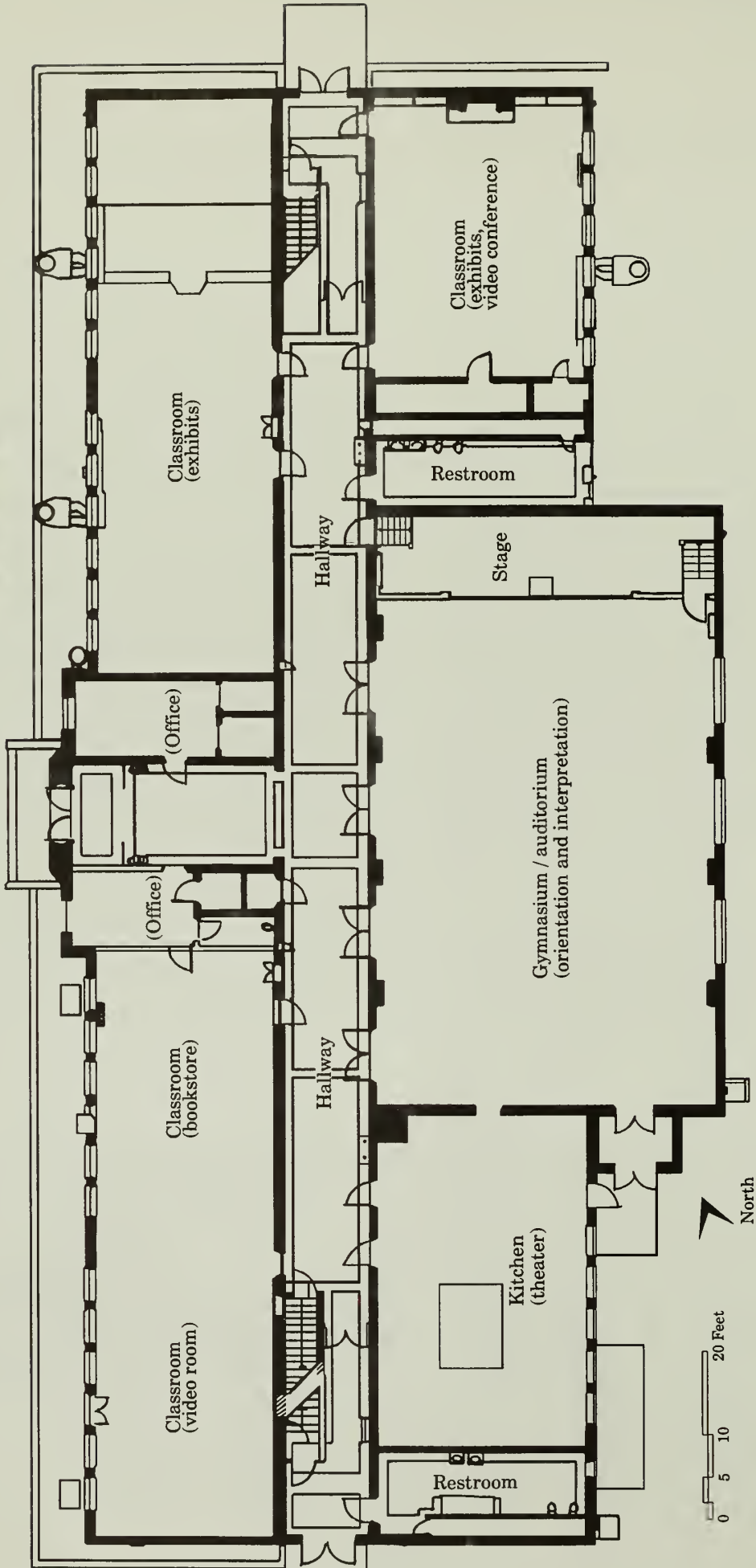




Phase II, Potential Floor Plan, First Floor

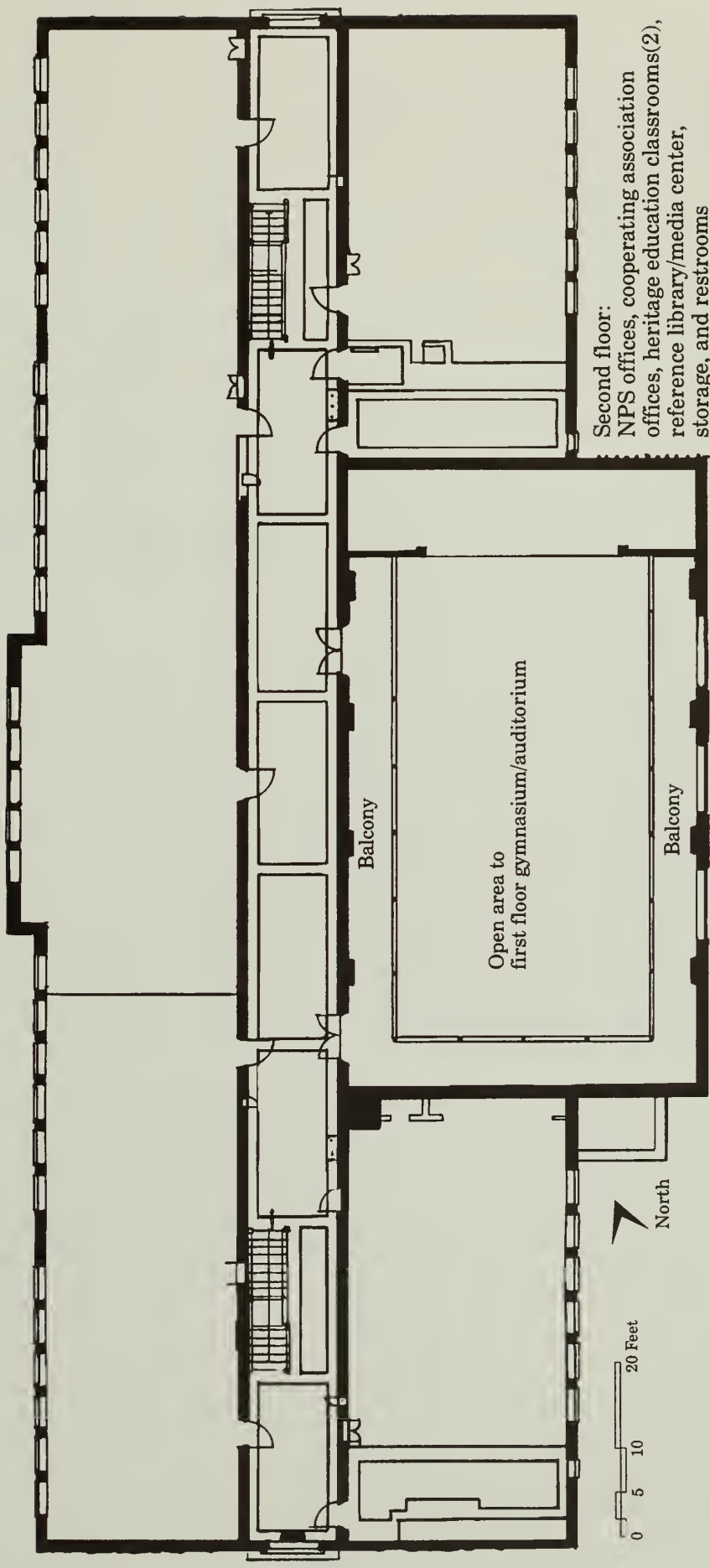
**BROWN V. BOARD OF EDUCATION
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Entrance



0 5 10 20 Feet

North



Second floor:
NPS offices, cooperating association
offices, heritage education classrooms(2),
reference library/media center,
storage, and restrooms



Phase II, Potential Floor Plan, Second Floor

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Video Room. A separate video room would be needed to show the many films, videotapes, oral histories, and news programs that relate to the site and story. This space could be simpler than the theater, with seating for perhaps 30-50 (one class plus teachers and chaperons) and a small projection room. The introductory program could be shown in the video room if site staff chose to present another program in the theater. This room would require moderate sound baffling so programs would not interfere with nearby activities; good acoustics would be needed as well.

Exhibits. One or more classrooms on the first floor would house permanent exhibits and temporary exhibits that might be acquired on loan or locally produced. Wall, ceiling, and floor treatments would represent the school's early 1950's appearance. Original walls might be kept, restored, or removed as needed for circulation, noise abatement, and separation of themes. The effects of modifying the landmark character of the building would be considered before decisions would be made regarding the removal of walls. It would be desirable for exhibit room walls to provide flexibility for hanging exhibits and graphic materials (for example, sheetrock or other wall covering over 3/4-inch plywood). The exhibit design plans would be reviewed in accordance with section 106 of the National Historic Preservation Act.

Bookstore. This area would be developed in phase I; enhancements to serve increased visitation and interpretation would proceed throughout phase II as well. An office and a lockable storage area would be contiguous to the sales area; additional bookstore storage might be needed elsewhere as well. There would be an area in the bookstore where visitors could sit and browse through publications, talk with members of their group, or just rest and reflect on their experiences.

Hallway. The hallway would be kept open to allow for circulation. Large graphics

could be hung on the walls; wall treatments would otherwise resemble the 1950's school appearance. Some building and area orientation also could be provided. Temporary exhibits that might be acquired on loan or locally produced could also be displayed in the hallway.

First-Floor Offices. One or both rooms on either side of the entrance hall could be used for offices. One office should be close to where visitors are greeted so an interpreter could work during slow periods yet still be able to greet entering visitors.

Information Area. There should be one easily accessible area where visitors could find an interpreter for information or assistance. This could be in one of the offices along the entrance hallway or in an area in the gymnasium/auditorium. The former location would be more practical during times of limited staff; the latter would be more accessible to visitors in various parts of the building. It might or might not be located in the same area as in phase I.

A formal information counter might not be required; however, one might be desirable if the information area is in a large space like the gymnasium/auditorium. If a counter is used, it should be small, simple, and convenient for storing brochures, maps, and other visitor assistance items.

To help the interpreter using maps and other media for orienting visitors to the school and other areas, the information area should be contiguous to the main orientation area. A variety of materials and methods (maps, wall graphics, brochures, computers, and personal contacts) would let visitors know what resources and services were available in Topeka and what other area sites relate to the themes of civil and human rights. Related sites around the country would be described here as well.



Restrooms. Men's and women's restrooms would be on the first floor; exact locations have yet to be determined. There would also be two unisex restrooms on the second floor — one for staff and one for the public.

Second Floor. The second floor would be accessible to visitors and staff by a new elevator. However, this floor would not be part of most visitors' itinerary. Functions on the second floor would include NPS administrative offices (including a small breakroom/lunchroom), a cooperating association office, two heritage education classrooms (that could also serve as meeting rooms or video conference facilities for scheduled groups), storage, a reference library / media center, and restrooms. No further office space would be provided for either the National Park Service or the cooperating association. If additional office space is needed by any of these entities, or if space is needed for visitor use, another location would have to be secured.

The reference library / media center would be available to visitors, area residents, scholars, and students on a scheduled basis or by permission of the staff. It would contain a range of services, including theme-related publications, audiovisual

products, reference services, computers, and access to information networks and other collections. Items and information preserved and accessible at neighboring institutions (such as Kansas State University, the University of Kansas and others) would not be duplicated in the site library unless the material was basic and essential to understanding the site story.

The heritage education classrooms would each accommodate up to 45 people (one class plus teachers and chaperons). Flexible fixtures would allow a variety of activities including audiovisual presentations, video conferencing, talks, small and large group activities, and group presentations. Storage for educational materials would be contiguous to each classroom. The possibility of joining two classrooms with a removable partition should be explored. This would allow two classes to engage in a video conference or other activity at the same time. A drawback would be decreased sound baffling between the two rooms.

Storage. There should be several areas dedicated for storage on the first and second floors. Items would include interpretive and educational program supplies, administrative supplies, audiovisual materials, equipment, and janitorial supplies. The site staff should be consulted on the types and amounts of materials when building rehabilitation begins.

Future Studies, Plans, and Cooperative Agreements

The same plans and studies that would be needed to implement phase I would also be undertaken before phase II could be implemented.

The comprehensive facility treatment and media design plan prepared in phase I would be implemented in phase II.

Staffing

In phase II, the needs for staffing will focus in the areas of interpretation plus resource management and maintenance. The site manager is responsible for determining the staffing levels necessary for meeting site goals.

**COST ESTIMATES AND
IMPLEMENTATION STRATEGY**

Costs to implement the proposed plan would be as in the following table. Building rehabilitation would be completed by FY 98.

TABLE 1: COST ESTIMATES FOR THE PROPOSED PLAN

Description	Gross Construction Costs	Construction Planning	Total Project Costs
Rehabilitate interior finishes	765,957	146,175	912,132
Rehabilitate floor finishes	153,191	29,235	182,426
New electrical	367,659	70,164	437,823
New mechanical	612,765	116,940	729,705
Structural rehabilitation	536,170	102,323	638,493
Roof repairs / replacement	229,787	43,852	273,639
Window replacement	249,424	47,600	297,024
Selective interior demolition	19,650	3,750	23,400
Hydraulic elevator	117,900	22,500	140,400
Selective site demolition	13,100	2,500	15,600
Landscape rehabilitation	46,329	8,842	55,171
Sidewalk and step refurbishment	11,803	2,253	14,056
Refurbish concrete entry courtyard	11,790	2,250	14,040
Media planning, design, construction, and installation	2,423,500	462,500	2,886,000
Gravel parking area	35,370	6,750	42,120
Site signs	4,913	938	5,851
Entry sign	26,200	5,000	31,200
Flag pole rehabilitation	11,135	2,125	13,260
Fence rehabilitation	7,860	1,500	9,360
TOTAL^a	5,644,503	1,077,197	6,721,700
Annual operating costs for site			\$750,000

NOTE: This table represents class "C" cost estimates. They are based on gross square footage of the building and should only be viewed as a very rough estimate of potential advanced planning, design, and construction costs. More detailed estimates are provided later in the design process, the next step of which would be the upcoming historic structure report and cultural landscape study for the historic site. Costs given are estimated costs only and should not be used for budgetary purposes.

- a. These estimated costs might change after the completion of the cultural landscape report. Also, if determined necessary, additional money might be needed for abatement of hazardous materials.

Following is a summary of the steps needed to implement the proposed plan.

The actual schedule would depend on funding and priorities.

TABLE 2: IMPLEMENTATION STRATEGY FOR PROPOSED PLAN

TASK	TARGET DATE	DEVELOPMENT COSTS
Phase I		
Complete historic structure report, historic resource study, cultural landscape report, and preliminary design	FY 96-97	\$250,000
Install temporary maintenance shed	FY 96	50,000
Media planning / comprehensive design (exhibits, audiovisual, waysides, facility treatment, publications)	FY 97	100,000
Interim stabilization, cleanup, visitor safety	FY 96	2,318,516
Design, produce, and install interim media	FY 96-97	50,000
Phase II		
Rehab grounds and parking area behind school	FY 97	185,058
Restore Monroe School (construction)	FY 97	2,559,110
Complete collections management plan	FY 97	2,000
Media planning and design	FY 97	835,800
Media production and installation	FY 98	1,950,200
TOTAL		8,250,684

NOTE: This table is provided to give a phased implementation strategy and estimated costs, based on the estimates in table 1. The estimates for additional studies (not included in table 1) are included in table 2; thus there is a difference in the totals between the two tables.

OTHER OPTIONS CONSIDERED

In the previous section, the National Park Service's proposed plan was described. However, other options for resolving various issues were available. These

options and the reasons they were not chosen are provided below. The chosen option, which is in the proposed plan (■), is listed first, then the options (□) are listed.

PARKING

- Lease a city-built parking area just north of Monroe School.
Most convenient option for visitors .

- Ask the city to provide parking.
The city would acquire and develop the property. To ask the city to give it to the National Park Service as well would not be in the spirit of partnership.
- Provide limited visitor parking on the Monroe School property; overflow parking would be haphazard on the neighborhood streets.
Would inconvenience some visitors and perhaps create some additional traffic on neighborhood streets.
- Lease parking on the triangle between Cushinberry Park and the school playground.
Would also provide convenient access for visitors but would cause displacement of its existing use for employees and customers of a commercial enterprise.
- Provide parking at the proposed magnet school one block north of Monroe School (would require a drop off/pick up point in front of Monroe School).
Would be less convenient for visitors (especially those with handicaps) to walk 1½ blocks.
- Provide parking at a remote area, e.g., the Kansas Expo Center.
Shuttle system would have to be provided by either a private entity or some public agency like the city. A fee would be likely, which might cause some visitors not to visit the site.
- Provide no parking; parking would be haphazard on neighborhood streets.
Would inconvenience some visitors and perhaps create some additional traffic on neighborhood streets.
- Seek a legislative amendment so that additional property could be acquired and developed for parking.
Process could be lengthy and maybe very costly.
- Provide parking in the school playground.
Would not provide adequate parking; parking on that site would adversely impact the site's cultural landscape.

ACCESS AND SIGNS

- The National Park Service would install a sufficient number of directional signs and provide technical and financial assistance to the city/other tourism entities to develop additional signs and information for the national historic site and other tourist attractions.

Would ensure that appropriate information about the national historic site and other visitor attractions in Topeka was available to visitors.

- The National Park Service would install a minimum number of directional signs and encourage the city/other tourism entities to develop additional signs and information for tourist attractions, including the national historic site.

Would require the National Park Service to depend on others to help ensure that visitors could find their way to the site.

MONROE SCHOOL

- Following future cultural landscape report and historic structure report, restore school exterior and the grounds to their ca. 1950's appearance. No attempt would be made to re-create the playground. Visitors would have access to the grounds; the grounds might also be used for outdoor interpretive programs and special events.

Would ensure the building's identity as a school, provide visitors with a sense of place and a feeling for the original school and its place in the community, provide visitors with a scene compatible with the historic scene, and present the school in its best light.

- Make minimal repairs to school exterior; clean and maintain building and grounds as they are. Visitors would have access to the grounds; the grounds might also be used for outdoor interpretive programs and special events.

Would preserve the basic exterior context of Monroe School but would provide the same basic sense of place as would the preferred option. Would be most cost-efficient but would not enhance the visitor experience or present the building in its best light.

- Provide a similar treatment to the grounds as proposed for Cushinberry Park so that school grounds become an extension of Cushinberry Park. Visitors would have access to the grounds; the grounds might also be used for outdoor interpretive programs and special events.

Would not necessarily maintain historical ambience but would serve to make the site appear to be part of a much larger open-space within the city.

THE NEIGHBORHOOD AND NEW DEVELOPMENT

- Provide NPS technical assistance to city/neighborhood to retain the ambience of the neighborhood as a residential area and ensure compatible design of any new development. The National Park Service would also provide technical assistance to the city/neighborhood to establish zoning restrictions and for improvements to Cushinberry Park.

Would provide the necessary funding to the city to meet the stated objectives through a cooperative effort.

- ☐ National Park Service would encourage the city/neighborhood to retain the ambience of the neighborhood as a residential area, ensure compatible design of any new development, establish zoning restrictions, and improve Cushinberry Park.

Would not guarantee those objectives being met.

- ☐ National Park Service would encourage the city to undertake the necessary enhancement activities and establish zoning restrictions.

Would provide no guarantees that the stated objectives would be met.

OFFICE SPACE

- Provide office space for site staff and cooperating association office in school on an interim basis, but if space is later needed for visitor use staff would be moved offsite.

Would meet the foreseeable needs of NPS staff and cooperating association, but would temporarily limit space in the building that could be dedicated to visitor use.

- ☐ Provide minimal office space for NPS staff and cooperating association in school.

Would meet the basic NPS staff and cooperating association needs and ensure that most space in the building was dedicated to visitor use.

- ☐ Provide office space for NPS staff and cooperating association in the school.

Would ensure the onsite presence of NPS staff and cooperating association but would decrease the amount of building space for interpretive purposes.

MAINTENANCE

- The National Park Service would be responsible for minor maintenance and would look at contracting out major maintenance work.

Would allow the National Park Service to provide regularly scheduled routine maintenance with the flexibility to contract for special services as necessary.

- ☐ The National Park Service would be responsible for all maintenance in-house.

Could be cost-effective for maintenance costs, but would obligate valuable staff positions for maintenance work that might be better used in other capacities, e.g., interpretation. Would require the construction, lease, or purchase of a nearby or onsite facility for storing the necessary equipment, which could lead to same legislative restraints listed above regarding parking.

- ☐ Contract out all site maintenance work.

Would be very costly (the cost of mowing the grounds at Monroe School is \$160.00 per mowing, and similar high costs have been incurred for one-time cleaning of the building for special events).

AFFECTED ENVIRONMENT

LOCATION AND ACCESS

Brown v. Board of Education National Historic Site is in Topeka, Kansas (Shawnee County), in the northeastern part of the state (see Region map, page 2). Topeka, the state capital, is on Interstate 70 and is 60 miles west of Kansas City, Missouri, and 540 miles east of Denver, Colorado. Wichita, Kansas, is 135 miles southwest along Interstate 35 (Kansas turnpike), and Omaha, Nebraska, is 160 miles north along U.S. Highway 75. The national historic site (Monroe School) is just south of the central business district.

NATURAL RESOURCES

The basic topography, geology, and soils of the area are a result of glaciation. The area is flat to gently rolling with a mostly alluvium substrate. Although 62% of Shawnee County is classified as prime farmland by the Natural Resource Conservation Service (formerly the Soil Conservation Service), the historic site is in an urbanized land zone.

Wildlife species found near the historic site include small mammals, nonnative birds, and numerous native songbirds. The vegetation is typical of a disturbed Midwestern prairie turned urban area with numerous introduced tree and shrub species. There are six federal and five state-listed threatened or endangered animal species in the county, but none are found in or near the urban environment of the historic site. There are no known threatened or endangered plant species at the site.

The major water feature in the area is the Kansas River and its tributaries, which are prone to flooding. However, the Kansas River levee system protects most of Topeka, including the historic site. The 100-year floodplain for Shunganunga

Creek, a major tributary of the Kansas River, is just south of the historic site. The site is not in the floodplain, and there are no wetlands associated with the site.

The historic site is in a federal class II clean air area as designated under the Clean Air Act. The primary factor affecting air quality in the area is vehicle exhaust. Although the historic site is in an urban environment, noise pollution is not a major problem. The site is several blocks from major streets and highways in a mixed residential and light industry / commercial area.

SITE CULTURAL RESOURCES — MONROE SCHOOL

The Monroe School building and grounds (about 1.85 acres) is the entire historic site. It is owned by the National Park Service. Designed by architect Thomas Williamson, the building is a Spartan but handsome two-story Italian Renaissance style elementary school. The building has an imposing, formal, high-style symmetrical facade with a projecting small central bay, masonry veneering, an entry accentuated by small classical pilasters, and an arched doorway. The interior is simple in design. There is a low-pitched hipped roof with wide, overhanging eaves. The major interior character-defining features include the following:

- a gymnasium/auditorium — The heart of the building, the gymnasium/auditorium is directly across from the main entrance. It is two stories high with a balcony that is accessible from the second floor. There is a large stage, tiled multipurpose floor, and large windows in the exterior wall.

- an entry area — The stylized "gatehouse" entry is relatively highly ornamented.

It is flanked by the administrative offices of the school.

classrooms — These 13 rooms are where the business of the school took place. Of note are the many built-in features, such as supply cabinets, book shelves, display cases, and coat rooms.

the kindergarten — This special room is subtly isolated from the rest of the school and uniquely connected to the outside. It has many special features, most notably a hearth.

the corridors — The corridors establish the linear organization of the building and the rhythm of the classrooms. There are open stairwells at either end to connect the floors.

The building is in excellent structural condition and weathertight except for the inherent design weaknesses of a flat roof over the gymnasium/auditorium and steel casement windows. The mechanical, plumbing, and electrical systems were of good quality but were not designed for the mixed uses proposed. Several interior renovations, including the removal of walls, have occurred since Monroe was an active school, but most of the materials were salvaged and the original locations are obvious. In the terminology of the National Register of Historic Places, the integrity of the school property is high. Monroe School has a quality, simplicity, and clarity of design that forms a useful and approachable backdrop to support interpretation to the public.

Monroe School has a small parking area at the back of the building. There are no other nearby places to park except on the street. Three vacant parcels of land adjacent to the school could accommodate parking for the historic site. The land directly east of the school, which is also owned by the National Park Service, is part of the school grounds and historic site and the historic scene. The parcel east of that parcel is used

for overflow parking by a nearby business. The land directly north of the school is vacant and owned by a nearby business.

The largest threat to the preservation of the school remains the attractive nuisance created by the vacated and thus unprotected appearance. Also of major concern is the potential for the complete loss of the context of the property through neglect and the loss of the original context of the surrounding neighborhood. Although there is unanimous agreement that the site should be the anchor of revitalization for the immediate area, there is disparity in the opinions as to the highest and best use for the property surrounding the school. The neighborhood continues to be seen as leftover space created in an awkward spot between two street grid orientations and a low wet area. Although it is close to downtown and two nearby streets serve as a commuter corridor, it is not a particularly desirable location for either commercial or residential occupancy. The greatest challenge for the National Park Service is to retain the urban context around the site.

For more description of Monroe School, see the previous "Site Resources" section in the "Introduction."

HAZARDOUS MATERIALS

Materials now considered hazardous, such as asbestos and lead-based paint, were commonly used when the school was constructed in the 1920s, and they are still in the building. As required before the National Park Service acquires property, a level I hazardous materials inventory (including record searches regarding past land uses and materials handling and onsite investigation) was conducted by the NPS regional office safety manager for Monroe School on March 10, 1993. The inventory concluded that there are no contaminants on the property and that there are no obvious signs of any effects of contamination. However, subsequent tests

were recommended to verify the presence of asbestos, lead, and PCBs (polychlorinated biphenyls). A firm was retained to conduct the tests and research.

Their report concludes that an asbestos abatement project in 1988 to remove asbestos from pipes was successful, and that no significant amount of fibers are present. However, there is asbestos in the floor tiles in the gymnasium. Small amounts of lead were found in paint and varnish from isolated locations around the gymnasium. Light ballasts were checked for PCBs and leakage, and minor leaks as well as suspect ballasts were found.

The conclusion is that hazardous materials do exist but not at levels that would pose a public health threat. Abatement should be implemented, depending on the recommendations in the historic structure report, before allowing public access to the school.

Maps from 1950 indicate a working service station north of Monroe School across 15th Street. According to the level I survey done by the Park Service in 1993 and subsequent investigations by a firm hired to test drill school property for possible effects, no significant petroleum hydrocarbon contamination is present at the points sampled.

RELATED RESOURCES IN TOPEKA

Sumner School

Sumner Elementary School was commissioned by the School Board of Topeka in 1935 and was constructed by the Public Works Administration (along with work on East Topeka Junior High and Grant School). Part of a designated national historic landmark (with Monroe School), the school stands on 3.6 acres, has a total of 31,306 square feet with 17 rooms (10 classrooms), and has a capacity for 240 students and 30 staff members. The exterior has decorative stone bas-reliefs in

the art deco style. The architect was Thomas W. Williamson of Topeka.

The current Sumner School is the fourth one built. (The original one-story brick building burned down in 1888.) Originally Sumner was a school for African American children — until 1885 when another school was used for African American children and Sumner was turned over to the white children. Built in 1935, the current Sumner School was designed as a two-story brick structure with 13 rooms, a tower, a basement, and a gymnasium/auditorium. Despite the unusual auditorium design, and L-shape of the school, the floor plan is functionally identical to the floor plan of Monroe School. In fact, once past the period decorative styles unique to each decade and the extra ornament afforded Sumner School by the WPA work, the similarities between the two schools are quite striking; the topology, technology, materials, and room placements are consistent. The school is still in use.

In the years since its construction, the school has undergone several renovations. For example, in the 1930s vocational training and cooking were taught in the elementary school; as the curriculum changed, these rooms were converted to a media center and teacher's lounge. In other remodelings, the gymnasium/auditorium became a multipurpose room, the tower was renovated to contain a special reading classroom, and the basement was remodeled to contain a playroom and two additional classrooms. The specific dates of these renovations are unknown, although it is believed that the vocational training and cooking rooms were changed during the early 1950s and the tower, gymnasium/auditorium, and basement were changed some years later.

Because Sumner Elementary School is still in use, the school district has continued to update and repair the building as needed. These renovations are necessary modifications for meeting the continuing needs of

the students at the school and do not affect the integrity of the property as a functioning elementary school. Sumner Elementary School is essentially the same today as it was in the early 1950s. Sumner will be closed at the end of the 1995–1996 school year and will be retained "until private or public efforts can historically develop the site in a manner complementary to the Monroe Site" according to the advisory committee to Unified School District 501 for the disposition of closed school buildings.

Other Related Schools

At the time of its construction, Monroe School was one of four elementary schools in Topeka serving the black community. The other elementary schools for black children were the Washington School, which no longer survives, the Romanesque McKinley School, and the "eight-room style" Buchanan School. McKinley and Buchanan Schools survive, but they are no longer owned by the Topeka Board of Education. McKinley School is used as a storage building, and Buchanan School was remodeled for use as an office building.

Post Office (Old Courthouse)

This building was the federal courthouse until 1978. The legal drama of the Topeka case unfolded in the courtroom on the third floor. Except for temporary partitions in one corner to create a storage area and the removal of the furniture, the room looks much as it did during the time of the trial.

Washburn University

Local attorneys on both sides of the Topeka court case — Charles Scott, Charles Bledsoe, John Scott, Elisha Scott, and Paul Wilson — graduated from Washburn University School of Law.

Kansas State Capitol

It was here in the chambers of the Kansas Supreme Court that the legal challenges before the *Brown* case were heard. Beginning with the Tinnon case in 1881 and ending with the Webb case in 1949, eleven such school integration cases were decided here. The Kansas Attorney General's office, which argued the *Brown* case for the state, is in this building. The Kansas state capitol is also listed on the National Register of Historic Places.

SOCIOECONOMIC ENVIRONMENT

Topeka, the capital of Kansas, is a city of about 120,000, which is about 75% of the population of Shawnee County (down from 85% in 1960). Topeka had its highest growth rate during the 1950s. The most probable growth projection for 1990 to 2010 is an average annual growth rate of 0.7% per year, compared to an actual rate of 1.57% per year for 1950 to 1980 and 0.5% per year for 1960 to 1980. The percentage of total population for minorities has slowly increased and is now about 14%.

The state government is the largest category of employment, followed closely by services and trade. The rest of Shawnee County has primarily an agriculturally based economy. The median household income of census tracts closest to downtown Topeka and the historic site is much less than that of the entire city.

Existing land uses in Topeka are typical of most urban areas. The land uses around the historic site are a mix of residential, which contributes to the neighborhood school character of Monroe School, and light industry/commercial uses. The site is at the junction of two differently oriented street patterns and near the floodplain of Shunganunga Creek. The potential for dramatic changes in land use would seem minimal.

The city of Topeka has long been interested in redeveloping the nearby downtown area and is currently considering a plan by a developer. The project area would be anchored by the central business district on the north and Monroe School on the south. The plan proposes changing some street patterns, improving retail opportunities, and constructing a new downtown apartment complex. Another land use change is the construction of a magnet school one block north of Monroe School.

Because of the capitol, other government buildings, and an active central business district, traffic in and out of downtown Topeka can be heavy. Of the top 100 intersections in Topeka by traffic volume, nine are within 10 to 12 blocks of the historic site. They are primarily associated with Kansas and Topeka Avenues and major east-west cross streets. (The accident rate at three of these intersections is relatively high.)

The city of Topeka and Shawnee County have a rather large parks and recreation system. Topeka has 1 regional, 8 community, 27 neighborhood, 19 mini, and numerous linear, special use, open space, and undeveloped parks (89 areas with a total of 1,500 acres). Cushinberry Park, a

4.8-acre neighborhood park serving the recreational needs for the immediate area, is the closest to the historic site. It has a children's playground area, basketball/tennis courts, a multipurpose paved area, picnic area, and an outdoor theater (one of three in the city). The city is planning to improve this park.

REGIONAL RESOURCES

Many sites in Topeka are of interest to tourists and schoolchildren, including the Kansas Museum of History, the Combat Air Museum, the National Guard Museum, the Topeka Zoo, and the Heartland Park Raceway. Topeka, the state capital, has many facilities to accommodate tourists, including hospitals, hotels, and restaurants. No additional tourist-related facilities would be needed to accommodate visitors to Brown v. Board National Historic Site.

HISTORICAL BACKGROUND

A more detailed history of the events leading up to the *Brown* case is in appendix A.

ENVIRONMENTAL CONSEQUENCES

The following discussion focuses on the issues to be addressed in the plan — treatment of building and grounds; other community planning efforts / adjoining land use; site administration, operations, and staffing; visitor use; parking; and community impacts.

IMPACTS ON NATURAL RESOURCES

No major ground-disturbing activities would be proposed in either phase. Grass, trees, and bushes might be planted around the perimeter of the school grounds for aesthetic and screening purposes. Sidewalks in disrepair (about half of the sidewalks) would be replaced. Additional benches, a flagpole, and interpretive panels might also be installed around the school grounds. Total disturbance would be less than 0.25 acre, and all of it would be on previously disturbed areas. There would be no impact on threatened or endangered species, wetlands, or floodplains.

Conclusion: There would be no significant impacts on the natural environment of the site.

IMPACTS ON CULTURAL RESOURCES

The integrity of the property would be maintained in phases I and II. Adherence to the regulations for compliance with the National Historic Preservation Act (sections 106 and 110), all national register criteria and NPS guidelines, and consultation with the state historic preservation office would ensure no adverse effects on Monroe School or surrounding property from stabilizing the school and making it suitable for visitor and NPS administrative uses in phase I.

There would be no adverse effects on the Monroe School or surrounding property from restoring the building exterior to its circa 1950's appearance and rehabilitating the school for visitor and NPS administrative use in phase II. Cultural resources management studies, such as historic structure and cultural landscape reports, would develop restoration and rehabilitation treatment recommendations and would ensure adherence to the *Secretary of the Interior's Standards on Historic Preservation*. Implementing these recommendations would have a beneficial impact by maintaining and enhancing resource integrity.

Conclusion: There would be no adverse effects on the cultural resources of the site; there could be positive effects.

IMPACTS ON THE SOCIOECONOMIC ENVIRONMENT

Offering NPS technical assistance for establishing ways to maintain the neighborhood ambience might help ensure that the neighborhood evolves to a more residential character.

The historic site would attract visitors and thus increase neighborhood traffic, but the amount of visitation/traffic cannot be accurately predicted at this time. Visitors would travel to and from the historic site throughout the day and not necessarily during rush hour, which would mitigate some potential traffic problems. Providing an off-street parking area would keep cars off neighborhood streets and have less impact on the residential character of the area.

There would be greater demands for city services than there were when Monroe was an active school. Although there might be fewer visitors per day than there were students, the facility would be used for more hours per day and on weekends.

Water and sewer demands would go up, but not beyond the capabilities of the existing service to the building. The increased operating times would increase the potential need for fire and police protection. However, the historic site is close to major fire and police stations and park rangers would perform many of the law enforcement duties.

The potential for increased tourism revenue is directly related to the amount of visitation. At full implementation of the plan, visitors would be expected to spend a half day or more at the site, which could require an overnight stay for many visitors. This would translate directly into increased revenues for businesses providing services like lodging, food, and fuel near the site. When combined with visitation to other attractions in the Topeka area, the overall visitor length of stay in Topeka could increase, resulting in overall increased tourism revenues.

Projections of visitation are difficult to estimate at a new park/site. However, due to the size and location of Topeka and high interest level in the subject matter offered at this site, it is reasonable to expect potential visitation to the site to reach somewhere between 200,000 and 400,000 visitors per year.

Some temporary job opportunities would be created for renovating Monroe School. Minimal opportunities would exist for permanent jobs, and the site staff would be relatively small. Employees would, however, contribute to the overall economy of the Topeka area.

Conclusion: There would be an overall positive impact on the socioeconomic environment of the site. There would be economic advantages for the city and some businesses. The neighborhood around the site would become more stable and retain its residential character. There would be more traffic on city and neighborhood

streets, but this would be mitigated by directional signs and offstreet parking.

IMPACTS ON VISITOR EXPERIENCE

Visitors would be impressed by the interpretation of the story and their connection with that story. Interpretive media would tell basic stories, addressing all interpretive themes. Media would be mostly designed and produced by the park and by local contractors. These media products could be very effective. Professional and comprehensive media design and production would initially be limited, which could restrict the effectiveness of media to convey nuance and breadth, reveal diverse perspectives, encourage return visitation, and capture attention from visitors with low motivation (Center for Social Design 1994; Meredith 1995). Visitors and local residents would not have the full potential for experiences and educational opportunities as in phase II. Potential neighborhood deterioration could further threaten the accessibility and historical integrity of the site.

A significant and growing number of site visitors, neighbors, and regional residents could understand both the historical events relating to the *Brown* story as well as its relevance to our lives today. Visitors to the site and offsite programs and media would stimulate further study and introspection into topics such as civil rights, citizenship, the Constitution, and personal values. Visitors would have the opportunity to better understand the views and situations of others. Students would find topics of history and current events that relate strongly to their backgrounds.

The park's established carrying capacity might mean some visitors would have to reschedule their visit to a less busy time.

Visitation to other related sites (in Topeka and the nation) would probably increase.

IMPACTS FROM HAZARDOUS MATERIALS

The level I hazardous materials inventory and subsequent testing indicated the presence of hazardous materials within Monroe School, but not at levels that would pose a threat to visitors or employees. If necessary, depending on recommendations in the upcoming historic structure report, abatement should be implemented.

Conclusion: No significant impacts on visitors and employees would be anticipated from exposure to hazardous materials.

CUMULATIVE IMPACTS

The National Park Service has no other projects planned in the area. The city of Topeka, Board of Education, is constructing a new magnet school one block north of Monroe School. This new school is a present-day expression and continuum of the *Brown* story. Cooperation among the National Park Service, the school board, and the architect could help encourage the architect to design a building that is compatible with Monroe School and the neighborhood ambience. The National Park Service and school board have discussed possibly using the new school's classrooms for NPS educational programs and the school's parking area for site visitors' overflow parking. An adverse cumulative impact on the historic site or the socio-economic environment would not be anticipated from the construction of this new school.

Cooperation with the city and current landowners to provide parking at 15th and

Monroe Street for the historic site would ensure compatible design and adequate parking for visitors.

In addition, if the proposed downtown redevelopment projects become a reality, they could have a positive effect on the neighborhood around the site. Current plans call for high density residential and open space relatively close to the site. This action could increase the potential of the neighborhood staying residential and improve its desirability due to its proximity to a revitalized downtown, thereby enhancing the historic site. Single-family residences could infill on vacant lots near the site, thus discouraging industrial expansion in the area. This could increase property values in the area and consequently produce higher property tax revenues for the city. One concern about this development is the possible closure of Monroe Street for the development of an apartment complex. The National Park Service would work with developers to ensure compatible design and adverse cumulative impacts would be avoided.

Cooperation between the city and the National Park Service to improve the appearance of the Cushmanberry Park would improve visitors' arrival experience as well as provide better experiences for school-children and other visitors and would be an asset for area residents.

Providing directional signs on major highways would make the site easier to find for many visitors and thus improve the experience. Known high-volume inter-sections have been avoided by the proposed access routes, which also would improve the visitor experience and mitigate possible traffic problems for the city.

COMPLIANCE WITH FEDERAL AND STATE LAWS, EXECUTIVE ORDERS, AND REGULATIONS

This section discusses the laws, regulations, and policies to be considered in preparing an environmental document, implementing the proposed plan, and assessing the anticipated impacts on the human environment.

Endangered Species Act of 1973, as amended (16 USC 1521 et seq.) — Not applicable; no species or habitat are in the project area.

Wild and Scenic Rivers Act of 1968, as amended (16 USC 1271 et seq.) — Not applicable; no wild or scenic rivers are in the area.

Executive Order 11988 — "Floodplain Management" (3 CFR 121, Supp. 177) — Not applicable; the historic site is protected from Kansas River by Topeka levee system and is out of the 100-year floodplain of Shunganunga Creek.

Executive Order 11990 — "Protection of Wetlands" (3 CFR 121, Supp. 177) — Not applicable; no wetlands are in the area.

Section 404(b) of the Federal Water Pollution Control Act of 1973, as amended (33 USC 1344) — Not applicable; no construction is proposed.

Section 10 of the Rivers and Harbors Act of 1899, as amended (33 USC 403) — Not applicable; no rivers or harbors are in the area.

Farmland Protection Policy Act, (7 USC 4204[b]) — Not applicable; the historic site is in an urbanized land zone.

The Storm Water Rule (Clean Water Act, PL 95-217; sec. 402) — Not applicable; no construction is proposed.

Section 118 of the Clean Air Act, as amended (42 USC 7401 et seq.) — Not applicable; no proposal would result in a measurable change from existing conditions.

National Historic Preservation Act, as amended (16 USC 470 et seq.), **36 CFR part 800** as amended, and **Executive Order 11593** — Monroe School is listed on the National Register of Historic Places. Section 106 of the law requires federal agencies to assess the effects of any proposed undertaking and, if necessary, mitigate adverse effects. The Advisory Council on Historic Preservation and the state historic preservation officer have been involved in this project from the start. Compliance with section 106 would be completed before implementing any actions that would affect the Monroe School and property. See table 4 for a list of cultural resource requirements.

The Native American Graves Protection and Repatriation Act (PL 101-601) — This law requires the National Park Service to consult with Native American groups associated with the project area to determine possible effects on sacred or significant sites. That consultation is ongoing. Section 3 of the law stipulates procedures for handling discoveries made during ground-disturbing activities. No major ground-disturbing activities are proposed in this plan.

The Architectural Barriers Act of 1968 (42 USC 4151 et seq.) and the **Rehabilitation Act of 1973** (29 USC 701 et seq.) — These laws require all developed facilities and programs to be accessible to visitors with disabilities.

TABLE 3: CULTURAL COMPLIANCE REQUIREMENTS FOR PROPOSED ACTIONS

Proposed Action and Affected Resource	Potential Effect	Mitigating Measures	Further Compliance Needed
Restore Monroe Elementary School (a NHL property) to its 1950-1955 appearance (including roof replacement).	Beneficial effect	Prepare a historic resource study and historic structure report to identify significant structural elements, and provide direction for restoration activities and for future management. Work would conform to the <i>Secretary of the Interior's Standards</i> .	SHPO review of reports and preliminary design documents.
Rehabilitate interior of Monroe Elementary School (NHL) for adaptive use as visitor orientation center/park; improve building to meet accessibility standards and health and safety codes. Open the building to visitors.	No adverse effect from rehabilitation or visitor use.	Historic structure report would guide rehabilitation and architectural treatment of building. Work would conform to the <i>Secretary of the Interior's Standards</i> . Exact 1950's appearance would not be replicated, but rooms would generally retain their historic ambiance and be reminiscent of their original appearance. Exhibit design plans would be developed. Adaptive use for administrative and visitor use would ensure continued maintenance of the structure. Visitor use would be managed to avoid damage to the structure (e.g., restrictions on the number of visitors in a room at one time; directing visitors to areas that can withstand use).	SHPO/ACHP review of historic structure report, exhibit design plans, and preliminary and final design documents. If adaptive use necessitates removal of walls or other major structural elements, a memorandum of agreement would first be developed among the National Park Service, the state historic preservation office, and the Advisory Council on Historic Preservation to guide work.
Preserve/restore the cultural landscape (part of NHL and including Monroe School, former playgrounds, parking, courtyard, flagpole, open views, adjacent residences, sidewalks, and steps, alley, and railroad right-of-way); rehabilitate flagpole and fence, plant vegetation, and open the area to visitors.	Generally beneficial effect of preservation and restoration. With mitigation, no adverse effects of fencing and plantings. No adverse effects of visitor use.	Cultural landscape report would guide rehabilitation of the landscape as well as its future maintenance. Restoration and maintenance of the landscape would preserve significant elements of the landscape. Appropriate archeological investigations would precede any ground-disturbing activities. Visitor use would be managed to avoid damage to the landscape.	SHPO review of cultural landscape and archeological reports and preliminary design documents. With SHPO/ACHP review of this <i>General Management Plan / Environmental Assessment</i> , and concurrence with proposal, no further compliance is needed for visitor use proposals.
Install temporary maintenance shed	No adverse effect.	Shed would be placed in previously disturbed area and would be removed when facility rehabilitation is complete.	SHPO review of preliminary site plans.
Provide staff parking behind school.	No adverse effect.	Parking would be located in area historically used for staff parking.	SHPO review of preliminary site design.

COMPLIANCE WITH FEDERAL AND STATE LAWS

Proposed Action and Affected Resource	Potential Effect	Mitigating Measures	Further Compliance Needed
Provide assistance to the city/neighborhood to retain neighborhood ambience and improve Cushinberry Park.	Beneficial effect of neighborhood assistance.	Assistance would help ensure compatible design of new development in immediate viewshed.	SHPO review of plans where NPS is involved.
Install NPS directional signs and provide assistance to city for other signs	No effect	Actions would have no effect on the site.	None
Potential lease of a portion of Sumner School (Sumner School is part of the Monroe School NHL nomination)	Beneficial effect by adaptive use. Beneficial effect of acquisition if threatened.	Adaptive use helps ensure continued maintenance. Acquisition would be used if building were threatened.	SHPO review of plans.
Provide law enforcement protection	Beneficial effect	NPS presence would deter inappropriate use of site	None
Establish archives at University of Kansas	Beneficial effect by preserving archival materials in appropriate repository.	Develop scope of collections statement to guide the site's collections policy. Develop collections management plan to guide management of collections. Establishment of archives at the University of Kansas under an agreement would provide curational facilities that meet NPS museum standards for archival materials.	None
Protect artifacts	Beneficial effect	Provide appropriate curational facilities for artifacts and architectural elements through agreement with Kansas State Historical Society.	None
Encourage preservation of related resources	Beneficial effect	Develop cooperative agreements; provide technical and zoning assistance.	None

CONSULTATION AND COORDINATION

PUBLIC INVOLVEMENT AND ORGANIZATIONS CONTACTED

In April 1993 an initial scoping meeting was held in Topeka with representatives of the National Park Service, the state of Kansas, the city of Topeka, the Brown Foundation, and staff of the Kansas Delegation to identify and discuss issues related to this planning effort.

In October 1993 a workshop was conducted in Topeka with representatives of the National Park Service, state, county, city, and other partners to further discuss the future of the historic site and begin to address many of the planning issues. In fall 1993 the first planning newsletter was distributed to over 3,000 recipients. That newsletter announced the establishment of the historic site and the beginning of the planning process and solicited responses and concerns from recipients on their vision for the historic site.

In December 1993, ten individuals associated with the *Brown v. Board of Education* case and with subsequent modern civil rights movement met in Topeka for two days to share their experiences with NPS planners. The purpose of this workshop was to focus on

the interpretive story to be told at the historic site and begin to identify important interpretive themes related to that story.

In January 1994 an alternatives workshop was held in Topeka, again with representatives of the National Park Service, city, county, and state, as well as other interested individuals and organizations, to begin to develop the alternative concepts presented in this draft plan.

In March 1994 the second planning newsletter was published and distributed. That newsletter focused on such topics as the future of the historic site, its purpose and significance, and the results of the interpretive planning workshop. Again, comments and input were solicited from the newsletter recipients.

In May 1994 the public was invited to meet with NPS planners and discuss the alternative concepts that were being proposed for the plan at open houses that were held at the Topeka YWCA.

In October 1994 a team assembled in Topeka to review interpretive themes and visitor experience goals and recommend ways to interpret the themes and achieve the goals.



Appendixes and Bibliography

BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC SITE

APPENDIX A: MORE DETAILED HISTORY OF EVENTS LEADING TO THE *BROWN* CASE

HISTORICAL BACKGROUND: THE NATIONAL PERSPECTIVE

The Constitution of the United States as written in 1787 was not a perfect document. The preservation of our liberties was (and continues to be) the responsibility of each new generation of Americans through the continual interpretation and, if necessary, revision of the basic document.

In the 200 years since 1787, the United States has evolved from a small agricultural nation of some five million people situated on the fringe of the western world to an industrial giant of more than 240 million people who are at the center of the western world. In these years the Constitution has been changed to meet new demands and conditions never foreseen by the our forefathers.

The most significant of the changes to the Constitution took place in the years after the Civil War when reform-minded Republicans sought to ensure that the formerly enslaved people of African descent enjoyed the same measure of equality and opportunity that white Americans enjoyed. Through their control of the Congress, the Republican Party initiated programs designed to accomplish these ends and passed civil rights acts to outlaw varied forms of segregation. In addition, Congress passed the 13th amendment (1865) to outlaw slavery, the 14th amendment (1868) to extend federal citizenship and equal protection of the law to blacks, and the 15th amendment (1870) to protect the black man's right to vote. Congress backed up these efforts with the passage of a comprehensive Civil Rights Act in 1875.

In spite of these efforts, the tide of events ran against the effort to secure full civil equality for the formerly enslaved people of African descent. In state after state in the South, the conservative white leadership of the Democratic Party regained control. Through

a process of legislation and intimidation, black participation in the political process was eliminated and a policy of racial segregation was instituted. After 1877, support for civil rights from Congress and the Executive Branch of the government waned, and black Americans turned to the courts to fight for and secure their civil rights.

The key to securing full civil and political rights for black Americans rested squarely on the 14th amendment to the Constitution, which states "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

From time to time, before the Civil War, the states had denied the equal protection of the laws to citizens. The 14th amendment was to have changed all that and nationalized civil rights, but it did so in a way that respected the traditional federal-state relationship. Although the states would continue to be the principal regulators of personal liberty and civil rights, they would now do so under the supervision of the federal government.

However, even with the 14th amendment and the various civil rights acts, enormous obstacles still impeded federal civil rights enforcement, including the opposition of most whites in the South and the country's traditional deep-seated commitment to Federalism.

The Slaughterhouse Cases, in 1873, involved a monopoly granted by the state of Louisiana to one slaughterhouse in New Orleans. Other slaughterhouses claimed that they had been denied their property rights that were guaranteed by the 14th amendment, presented the Supreme Court with its first opportunity to review and interpret the 14th amendment. The Court, in an exceedingly narrow interpretation, held that the slaughterhouses were

not denied their privileges and immunities because the 14th amendment protected only federal rights, such as travel upon the high seas, governmental protection in foreign countries, and the availability of the writ of habeas corpus. The Court made a distinction between state and federal citizenship in its ruling. Most rights flowed from state citizenship, including the property rights of individuals working at the slaughterhouse, and were not protected by the 14th amendment. Thus as a practical matter, the definition and protection of the rights of citizens were left to the states.

The implications of the Slaughterhouse Cases for blacks were ominous. Local authorities soon saw that this principle could be used to establish jurisdiction over the lives of black citizens and make the 14th amendment impotent as an instrument for their protection. This was precisely what happened once radical Republican politicians were driven from office in the South. Black citizens were deprived of their basic civil rights.

After 1873 the Supreme Court continued narrowly to interpret the 14th and 15th amendments and the Civil Rights Act. In the case of *United States v. Cruikshank* (1876), in which scores of Louisiana whites were indicted under the Enforcement Act of 1870 for conspiracy to deprive blacks of their rights as United States citizens, Justice Joseph P. Bradley held that the 14th amendment authorized federal legislation only against state action denying rights. Under the 13th and 15th amendments Congress could prohibit private denial of rights, Bradley reasoned, but only where the denial was motivated by racial hostility rather than ordinary criminal intent. Because the government's indictment of the rioters failed to specify their intention to deprive blacks of civil rights because of race, Bradley found it invalid.

Similarly, in the Civil Rights Cases of 1883, the Supreme Court struck down the Civil Rights Act of 1875 because it was directed against private discrimination and not state action. Speaking for the Court, Justice Bradley said the 14th amendment "does not

authorize Congress to create a code of municipal law for the regulation of private rights; but to provide modes of redress against the operation of state laws, and the action of State officers, executive or judicial, where these are subversive to the fundamental rights specified in the amendment." The combined impact of the Court's decision in these cases was devastating for black Americans. Having been abandoned by the Legislative and Executive Branches of the federal government, black Americans found no help in the courts. For all practical purposes the question of civil rights was dropped from the national agenda.

However, the ultimate abandonment of civil rights did not come until 1896 with the case of *Plessy v. Ferguson*, in which the Supreme Court found no constitutional objection to a Louisiana law requiring separate railway coaches for whites and blacks if blacks were furnished accommodations equal to whites — a doctrine of separate but equal in using public transportation. Although the *Plessy* decision itself did not involve the issue of schools, the principle carried over. The segregation of whites and blacks was valid, if the facilities were equal, because it is the equal protection of the laws that is guaranteed by the 14th amendment. Formal racial classification, which the court had earlier condemned, was thus legitimized.

THE MODERN CIVIL RIGHTS STRUGGLE

The achievement of civil rights for black Americans in the 20th century did not require a change in the Constitution as much as the fulfillment of the original intention of the framers of the 13th, 14th, and 15th amendments to the Constitution. The purpose of these amendments was to integrate the formerly enslaved people of African descent into the political and social order on the basis of legal equality. Reconstruction fell short of this goal, and in the late 19th and early 20th centuries, patterns of discrimination between and physical separation of the races that had begun to take shape in the South after the Civil War were transformed into legally

sanctioned segregation and disenfranchisement.

During the 40-year period after 1914, the Court, applying more rigid standards of equality, began to find that black plaintiffs were being denied equality of treatment as specified in the *Plessy* decision. In *McCabe v. Atchison, T. & S. Ry. Co Ry.* (1914), an Oklahoma law was held not to accord equal accommodations to blacks and whites when it allowed railroads to haul sleeping, dining, and chair cars for the exclusive use of whites without providing them on demand for blacks.

During the 40-year period after 1914, the court, persuaded by legal challenges and a legal campaign, began applying more rigid standards of equality to find that black plaintiffs were being denied equality of treatment as specified in the *Plessy* decision. Charles Hamilton Houston, special counsel for the National Association for the Advancement of Colored People, instituted a bold strategy using the court to confront segregation in education. The result was a series of cases ranging from equalizing teacher salaries for blacks and whites to integrating segregated professional schools.

In *Missouri ex rel. Gaines v. Canada* (1938), the court held that Gaines, a black man, was entitled to be admitted to the law school of the University of Missouri because there was no other and proper provision for his education in the legal field within the state. Missouri did not have a separate and equal law school for black people and thus had to admit Gaines to the law school of the University of Missouri. In *Sweatt v. Painter* (1950), the Court rejected the argument from the state of Texas that its new law school for blacks afforded educational opportunity equal to those at the University of Texas Law School.

THE KANSAS CONNECTION

The history of Kansas is closely connected with the history of the civil rights struggle in the United States. By the 1850s the struggle

over extending slavery within the territories of the United States had reached a fevered pitch. With the outlook for foreign expansion dim, southern politicians began a fateful effort to push slavery into that part of the Louisiana Purchase that had been reserved as free soil.

The passage of the Kansas-Nebraska Act in 1854 opened the way for proslavery and antislavery forces to meet physically and to compete over whether Kansas would become a slave state or free state. The state was soon filled with violence and bloodshed as proslavery and antislavery factions contended for control of the territorial government, giving Kansas two competing territorial legislatures — a free-soil government in Topeka and a proslavery government in Leecompton.

The violence in Kansas soon spilled over to Washington, D.C., when Congressman Preston Brookes beat Senator Charles Sumner of Massachusetts senseless at his desk with a cane. Sumner's beating was a result of his relentless attacks on the proslavery leadership of the Senate, especially Senators Atchison of Missouri and Butler of South Carolina.

The attempt to apply the popular sovereignty principle was deepening the chaos in both Kansas and Washington, D.C. In March 1857 the Supreme Court issued its famous opinion in the celebrated Dred Scott case. In this opinion, Chief Justice Roger B. Tany denied Scott's contention that he had been made free by residence in the free territories of Illinois and Wisconsin, saying that Congress could not bar slavery from the territories.

The moral rhetoric and violence in Kansas demonstrated two competing visions for the future of the United States. The North saw itself as the land of expanding commerce and independent agriculture inhabited by self-made free men who believed in individualism and democracy. The "free-labor" system of the North offered equality of opportunity and upward mobility. For the South, where one person in three was a black slave, racial distinctions and paternalistic relationships

were crucial in maintaining the existing social order and white supremacy. Southerners believed that democratic principles were best preserved in local political units such as the states, which served as the bulwark of freedom to preserve the southern way of life.

The issue of statehood for Kansas was not resolved until after the start of the Civil War when an antislavery constitution was finally adopted and Kansas was finally admitted to the Union as the 34th state. Under the new constitution Kansas would admit free blacks to the state but would not allow them the right to vote.

From the end of the Civil War until 1890 Kansas grew rapidly and prospered. The passage of the Homestead Act of 1862 and the coming of the railroads promoted rapid growth. Thousands of newly freed slaves migrated to Kansas. At first, the "Exodusters," as these migrants were called, were welcomed and treated kindly. As their numbers grew, violence threatened. In 1879 the state legislature granted first-class cities, (those with more than 15,000 residents) the authority to segregate their elementary schools (precipitating early challenges to segregated schools heard by the Kansas Supreme Court in 1881 with *Tinnon v. Ottawa School Board*; however, the first challenge brought to a state court was in Massachusetts in 1849 with the Roberts case).

By the mid-1880s the segregation of the races was well established in Topeka. In the *Civil Rights Cases* (1883) the Supreme Court held that the 14th amendment did not prohibit private racial discrimination.

Legal challenges to segregated schools continued. The Kansas Supreme Court heard a total of 11 cases in Kansas challenging local school boards. One of the early cases in the Topeka was in 1903 when Mr. William Reynolds, a black man living in Topeka, tried to enroll his son in a school set aside for whites. He was refused and brought suit against the board of education. The Supreme Court of Kansas, citing *Plessy v. Ferguson*

and other cases, denied Mr. Reynolds the right to enroll his son in a white school. The legal basis of segregation in the Topeka elementary schools was affirmed.

In 1941 the successful suit of *U.S. Graham vs. Board of Education, Topeka* resulted in the desegregation of Topeka's junior high schools. This meant that the system moved the seventh and eighth grades from the black elementary schools and included those students in the city's junior highs. This was a significant precedent for *Brown*.

By 1951 Topeka had a population of over 100,000 people; about 7.5% were black. Although Topeka was not as segregated as were many other American communities, segregation was still the norm. By 1951 there were 18 elementary schools for whites and four for blacks. There was only one hotel for blacks, and most public facilities (from restaurants to swimming pools to movie theaters to public parks) were strictly segregated. In general, most black citizens of Topeka interacted with the larger white community only when necessary for employment.

After the end of the Second World War the forces of change were felt in Topeka. Returning black servicemen joined a small but growing elite of black teachers, lawyers, and professionals to challenge the system of segregation. The leaders in this movement — such as Charles Scott, a black attorney who graduated from the Washburn Law School, Mrs. Lucinda Todd, a former school teacher, Mrs. Inza Brown, a legal secretary and one of the first black women to work in a civil service position, Mrs. Mamie Luella Williams, a teacher from Monroe Elementary School, and McKinley Burnett, the head of the Topeka National Association for the Advancement of Colored People — were determined to change the system.

The focal point of this effort eventually settled on Kenneth McFarland, the white superintendent of the public schools for Topeka. Dr. McFarland favored the continued separation of the races in the public schools. Dr. McFarland ruled the Topeka public

schools with an iron hand and dismissed anyone who did not go along with the segregationist line.

By 1950 Mr. Burnett and Mrs. Todd, who was then serving as the secretary of the Topeka branch of the National Association for the Advancement of Colored People, had written to the New York NAACP headquarters indicating their willingness to go to court to test the Kansas law that permitted segregation. With the encouragement of the New York NAACP headquarters, local attorneys Charles Bledsoe and John and Charles Scott drew up the legal papers to challenge the system of segregation in the elementary schools.

Before the suit could be filed, however, plaintiffs were needed. One of the first plaintiffs was Lucinda Todd (the NAACP branch secretary). Joining Mrs. Todd in the suit were 12 other parents as plaintiffs, including Oliver Brown. The parents represented a total of 20 children. These parents were

Mr. Oliver Brown
Mrs. Richard Lawton
Mrs. Sadie Emanuel
Mrs. Lucinda Todd
Mrs. Iona Richardson
Mrs. Lena Carper
Mrs. Marguerite Emmerson
Mrs. Shirley Hodison
Mrs. Allen Lewis
Mrs. Darlene Brown
Mrs. Shirla Fleming
Mrs. Andrew Henderson
Mrs. Vivian Scales

Not all of the plaintiffs were members of the Topeka National Association for the Advancement of Colored People. Oliver Brown was not a member. Mr. Brown was a 32-year-old man who worked as a welder in the Santa Fe shops and had the advantage of union membership to protect him from economic reprisal. Mr. Brown was also an

assistant pastor at St. John AME (African Methodist Episcopalian) church and a life-long member of the Topeka community. All of the plaintiffs in the school desegregation case shared a common belief that they were no longer willing to be second-class citizens of Topeka. They wanted their full civil rights. The case was officially filed with the United States District Court for Kansas on February 28, 1951. Its title was *Oliver Brown et al. v. The Board of Education of Topeka*.

In his book about the *Brown* case, *Simple Justice*, Richard Kluger states on page 407 that it is one of the idiosyncrasies of American constitutional law that cases of profound consequences are often named for plaintiffs whose involvement in the original suit is either remote or fortuitous. So it was with the case of Oliver Brown. Nothing in Mr. Brown's background seemed to suggest that he would stand against the tide of apathy and fear in the black community of Topeka that had accepted a system of segregated grade schools and economic oppression for decades. Mr. Brown was a loving and dedicated father of three little girls who worked hard to support his family. His oldest daughter attended the Monroe School, which was almost 2 miles from their home. This route to Monroe School required African American children to walk "through a busy railroad switching yard, cross a busy boulevard, and await a rickety school bus — sometimes for an hour in all types of weather — to travel the nearly 2 miles to Monroe School" (Henderson 1994, pg. 4).

In September 1950, as part of the local NAACP plan, African American parents took their children to nearby white schools to enroll them. Mr. Brown took his daughter to Sumner Elementary School, only four blocks away from their home. Sumner School was for white children only, and he was denied the right to enroll her. Once all of the parents and children were denied, the local NAACP attorneys began the case that would ultimately bear Oliver Brown's name.

CONCLUSION

The Decision

By fall 1952 the Supreme Court had on its docket cases from Kansas, South Carolina, Virginia, Delaware, and the District of Columbia that challenged the constitutionality of racial segregation in public schools. Only in the Topeka case did the facts show that both the black and white schools were fairly equal with respect to buildings, salaries, teachers, and other tangible factors. The issue before the Court was the constitutionality of segregation per se — the question of whether the doctrine of *Plessy v. Ferguson* should be affirmed or reversed.

The *Brown* case was argued before the Supreme Court in December 1952. The death of Chief Justice Vinson caused the case to be reargued in December 1953, after the appointment of Earl Warren as chief justice. On May 17, 1954, the Court issued its historic decision in which it concluded that separate educational facilities are inherently unequal. After 60 years, *Plessy v. Ferguson* was overturned.

This decision written by Chief Justice Earl Warren, was momentous. The social and ideological impact of the case cannot be overestimated. The decision was unanimous. The issue of the legal separation of the races was settled. Segregation was a violation of the 14th amendment of the Constitution and was unconstitutional. By denying African American children the right to enroll in white elementary schools, the Board of Education of Topeka, Kansas, became a part of the chain of events that led to the Supreme Court and the case of *Brown v. Board of Education of Topeka*. The two schools in Topeka designated as a national historic landmark (the previously all-white Sumner Elementary and the previously all-black Monroe Elementary Schools) symbolize both the harsh reality of discrimination permitted by the *Plessy* decision in 1896 and the promise of equality embodied in the 14th amendment to the Constitution that was realized after 1954.

Testimony concerning the effect of the segregation of the races in the Topeka

elementary schools was included in the findings of the United States District Court for Kansas, and the Supreme Court adopted this language as the basis for its decision. The specific language quoted by the Supreme Court in the *Brown* decision stated the following:

Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has the tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

This language was originally drafted by the First District Court of Kansas (presiding Judge Walter Huxman, former governor of Kansas) using the testimony of Louisa Pinkham Holt, an assistant professor in the psychology department at the University of Kansas, who served as one of the expert witnesses for the plaintiffs in the *Brown* case.

The *Brown* decision reminds us of the words of Thomas Jefferson in the Declaration of Independence.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

The *Brown* decision also reminds us of the words of Mr. Justice John Marshall Harlan who wrote in his famous dissent in *Plessy v. Ferguson* that "Our Constitution is color-blind and neither knows nor tolerates classes among our citizens. In respect to civil rights, all citizens are equal before the law."

A Turning Point with Meaning for Today

The *Brown* decision of May 1954 was a turning point for the civil rights struggles of African Americans. Up until and including *Brown*, all progress toward equal rights had been achieved through the courts. This Supreme Court decision, which ended the doctrine of separate but equal in public education, had a far-reaching effect on the hearts and minds of African Americans. As a result, unequal treatment would no longer be tolerated.

This sentiment led to the Montgomery bus boycott in 1955, sparked by Rosa Parks. The boycott resulted in a less heralded Supreme Court decision in 1956, outlawing segregation in public transportation.

Also in 1955, in a later decision known as *Brown II*, the Supreme Court issued an implementation order for "all deliberate speed" for the desegregation of public schools. But many states and localities, especially in the South, either evaded or refused to comply with the Court order. Without implementation, the 1954 decision lacked much real weight.

In his book, *Crusaders in the Courts* (1994), Jack Greenberg, former head of the NAACP Legal Defense and Educational Fund, outlines the impact of *Brown* on the modern civil rights movement. He refers to events and people emboldened by the Supreme Court's words. (The following is paraphrased from Greenberg's book.)

On May 17, 1957, there was Martin Luther King Jr.'s prayer pilgrimage held to mark the third anniversary of the *Brown* decision. In fall 1957, the National Association for the Advancement of Colored People enlisted nine African American students to integrate Central High School in Little Rock, Arkansas. Association youth councils in Oklahoma City, Oklahoma, and Wichita, Kansas, sat in at lunch counters beginning in 1958. By 1960 the "Spirit of revolt" (Margold's phrase) was a nationwide phenomenon. Nathan Margold served as the NAACP legal counsel from 1930–33 and proposed basic desegregation strategy in the Margold Report. (Charles Hamilton Houston later modified and expanded Margold's ideas/strategy.) This new spirit (the civil rights movement) led to more sit-ins; spread to Freedom Rides; gave birth to the demands for full equality in all aspects of American life that in its nonviolent expression was personified by Martin Luther King Jr.; and made inevitable the historic civil rights legislation of 1964 and beyond.

The *Brown* decision is the link between past, present, and future generations of Americans who are reminded that our history moves forward not only as a result of the actions of our leaders but also from the actions of ordinary Americans who in their everyday lives struggle to achieve a more just and equal way of life for themselves and their children.

APPENDIX B: LEGISLATION

PUBLIC LAW 102-525 [S. 2890]; October 26, 1992

BROWN v. BOARD OF EDUCATION NATIONAL HISTORIC SITE

For Signing Statement of Act, see Statement for P.L. 102-525 in U.S.C.C. & A.N. Legislative History Section.

An Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes.

Civil rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

16 USC 461 note.

TITLE I—BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC SITE

SEC. 101. DEFINITIONS.

As used in this title—

(1) the term “Secretary” means the Secretary of the Interior.

(2) The term “historic site” means the Brown v. Board of Education National Historic Site as established in section 103.

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds as follows:

(1) The Supreme Court, in 1954, ruled that the earlier 1896 Supreme Court decision in *Plessy v. Ferguson* that permitted segregation of races in elementary schools violated the fourteenth amendment to the United States Constitution, which guarantees all citizens equal protection under the law.

(2) In the 1954 proceedings, Oliver Brown and twelve other plaintiffs successfully challenged an 1879 Kansas law that had been patterned after the law in question in *Plessy v. Ferguson* after the Topeka, Kansas, Board of Education refused to enroll Mr. Brown’s daughter, Linda.

(3) Sumner Elementary, the all-white school that refused to enroll Linda Brown, and Monroe Elementary, the segregated school she was forced to attend, have subsequently been designated National Historic Landmarks in recognition of their national significance.

(4) Sumner Elementary, an active school, is administered by the Topeka Board of Education; Monroe Elementary, closed in 1975 due to declining enrollment, is privately owned and stands vacant.

(b) PURPOSES.—The purposes of this title are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public education; and

(2) to interpret the integral role of the Brown v. Board of Education case in the civil rights movement.

(3) to assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement.

Oct. 26 BROWN v. BD. OF ED. HISTORIC SITE

P.L. 102-525

**SEC. 103. ESTABLISHMENT OF THE CIVIL RIGHTS IN EDUCATION:
BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC
SITE.**

(a) **IN GENERAL.**—There is hereby established as a unit of the National Park System the Brown v. Board of Education National Historic Site in the State of Kansas.

(b) **DESCRIPTION.**—The historic site shall consist of the Monroe Elementary School site in the city of Topeka, Shawnee County, Kansas, as generally depicted on a map entitled “Brown v. Board of Education National Historic Site,” numbered Appendix A and dated June 1992. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 104. PROPERTY ACQUISITION.

The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds the real property described in section 103(b). Any property owned by the States of Kansas or any political subdivision thereof may be acquired only by donation. The Secretary may also acquire by the same methods personal property associated with, and appropriate for, the interpretation of the historic site: *Provided, however,* That the Secretary may not acquire such personal property without the consent of the owner.

SEC. 105. ADMINISTRATION OF HISTORIC SITE.

(a) **IN GENERAL.**—The Secretary shall administer the historic site in accordance with this title and the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535), and the Act of August 21, 1935 (49 Stat. 666).

(b) **COOPERATIVE AGREEMENTS.**—The Secretary is authorized to enter into cooperative agreements with private as well as public agencies, organizations, and institutions in furtherance of the purposes of this title.

(c) **GENERAL MANAGEMENT PLAN.**—Within two complete fiscal years after funds are made available, the Secretary shall prepare and submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a general management plan for the historic site.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$1,250,000 to carry out the purposes of this title including land acquisition and initial development.

APPENDIX C: RELATED SITES OUTSIDE TOPEKA

RELATED SITES

Central High School (Little Rock, Arkansas)

This national historic landmark was the symbol of the civil rights struggle in the years after the *Brown* decision. In 1957 African American students attempted to integrate this school and provoked large-scale riots and disobedience of federal law by members of the white community.

Civil Rights Memorial (Montgomery, Alabama)

Erected through a private effort coordinated by the Southern Poverty Law Center, this memorial identifies key events in civil rights history and honors 40 people who lost their lives in the fight for civil rights. The designer is Maya Lin (creator of the Vietnam Veterans Memorial).

Dexter Avenue Baptist Church (Montgomery, Alabama)

The Dexter Avenue Baptist Church is associated with the early career of Dr. Martin Luther King Jr. who first received national attention while serving as a pastor there.

Frederick Douglass National Historic Site (Washington, D.C.)

This site commemorates the life and work of Frederick Douglass, the famous African American author and abolitionist both before and after the Civil War. Douglass worked to abolish slavery before the Civil War and to ensure that the newly freed slaves enjoyed the same measure of equality and opportunity that white Americans enjoyed after the war. Douglass lent his strong voice to the civil rights movement after the war.

Independence National Historical Park (Philadelphia, Pennsylvania)

This is the site associated with the drafting of both the Declaration of Independence and the Constitution of the United States. Thomas Jefferson based his words in the Declaration of Independence on the concept of human rights when he wrote

We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of happiness, that to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, that whenever any form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute a new Government

These words not only served to justify the American Revolution against Great Britain in 1776, but they also served to define us as a nation. They formed the basis for all subsequent American history including the constitutional history of the United States. These words also formed the cornerstone upon which our civil and human rights policies to the other nations are founded.

Likewise, the Constitution of the United States was conceived during the summer of 1787 in the State House of Philadelphia, the same building in which some of the delegates had approved the Declaration of Independence 11 years before. The purpose of the Constitution was to "form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

The Constitution was flawed. It compromised on the issue of slavery and said nothing concerning the rights of women and minorities. This dichotomy between the philosophy of the Declaration of Independence, upon which the Constitution was based, and human rights now began to grow and create tensions in the American political system.

Liberty Hill Baptist Church Summerton, South Carolina

The grassroots movement for the desegregation of public schools in South Carolina began with the congregation of Liberty Hill Baptist Church. Reverend J.A. DeLaine, pastor of the church, solicited support from its members to challenge discriminatory treatment of the area's black youth. As head of the Clarendon County NAACP, DeLaine recruited plaintiffs and received legal aid from the national organization for the litigation of *Briggs v. Elliott* (1951). These efforts blossomed in the landmark 1954 *Brown v. Board of Education* decision.

Manzanar National Historic Site (Owens Valley, California)

During World War II, thousands of American citizens of Japanese ancestry were imprisoned here and in several other camps around the country. Established in 1992, this NPS area is just starting to offer services for visitors.

Martin Luther King, Jr., National Historic Site (Atlanta, Georgia)

This park commemorates the birth, life, and death of Dr. Martin Luther King Jr. The neighborhood includes the Sweet Auburn Historic District, the economic and social center for Atlanta's African American community in the 1920s.

Mary McLeod Bethune National Historic Site (Washington, D.C.)

This site preserves the home of the noted educator, presidential advisor, civil rights activist, and founder of the National Council of Negro Women.

M Street High School Washington, D.C.

Listed on the National Register of Historic Places in 1986, the M Street High School represents one of the finest educational facilities for African Americans in the early 20th century. Faculty members provided rigorous academic training in the liberal rather than industrial arts. They inspired African American students to pursue graduate and professional education at top-notch universities and to break society's racial barriers. Carter G. Woodson and Charles Hamilton Houston were among the school's most illustrious graduates.

National Civil Rights Institute (Birmingham, Alabama)

The institute includes a museum that offers extensive exhibits and multimedia programs that interpret American struggles for civil rights (especially Birmingham's role) and global human rights issues. The institute also promotes research and organizes seminars and conferences. Next door is the Sixteenth Street Baptist Church, a center for civil rights activities and the site of the Ku Klux Klan bombing that killed four girls. Across the street is Kelly Ingram Park, which was the setting for many civil rights confrontations and is today distinguished by pleasant landscaping and dramatic metal sculptures depicting police dogs, water cannons, and jailed children. The park has been renamed "A Place of Revolution and Reconciliation." The institute was developed through a combination of private and public funding.

National Civil Rights Museum (Memphis, Tennessee)

Constructed around the facade of the old Lorraine Motel where Dr. Martin Luther King was assassinated, this museum offers an elaborate set of interpretive displays, including audiovisual and interactive techniques. The room where Dr. King was staying and the balcony where he was shot are preserved. The museum was developed through a combination of private and public funding.

Pittsylvania County Courthouse (Chatham, Virginia)

The Pittsylvania County Courthouse is significant because of its association with the case of *Ex parte Virginia* (1878). This case resulted from an action in 1878, when Judge J.D. Coles excluded black citizens from serving as grand and petit jurors in Pittsylvania County, Virginia. As a result, Judge Coles was arrested and charged with a violation of the Civil Rights Act of 1875. After his arrest Judge Coles filed a petition with the Supreme Court asking that he be released from custody and that all charges be dropped on the ground that his arrest and imprisonment were not warranted by the Constitution and the laws of the United States. In this case, the Court held that Judge J. D. Coles' action was a violation of the Civil Rights Act of 1875 and the equal protection clause of the 14th amendment and denied his petition for release.

Ex parte Virginia represents one of the few victories for blacks in the federal courts after 1865. After 1865 black Americans fought for their political and civil rights and took case after case to the Supreme Court. *Ex parte Virginia* was a victory in this struggle because the issue involved the clear attempt by a state official to deny citizens within that official's jurisdiction the equal protection of the laws — a protection guaranteed by the 14th amendment to the Constitution. While the states retained their primary responsibility and power to regulate civil rights, they were no longer autonomous. *Ex parte*

Virginia showed that the federal government now had a qualified but potentially effective power to protect the rights of American citizens.

Ex parte Virginia represented the promise of the future.

Redding House Wilmington, Delaware

Louis Redding, counsel for the plaintiffs in *Belton v. Gebhart* and *Bulah v. Gebhart*, lived in the family home during the litigation of the landmark school desegregation cases. In 1929 Louis became the first African American admitted to the Delaware bar, beginning a long career as a civil rights advocate. However, the Redding House is also significant for its association with the entire family, whose members contributed their intellect, professional accomplishments, and devotion to civil rights activism in Wilmington and beyond.

Sixteenth Street Baptist Church (Birmingham, Alabama)

The Sixteenth Street Baptist Church served as the center for black community life. On September 15, 1963, during racial unrest in Birmingham, four children were killed when a bomb exploded near the sanctuary. This was a turning point in resolving the civil rights protest in Birmingham and became a rallying cry for action throughout the country.

The Old Courthouse (11 North Fourth Street, St. Louis, Missouri)

The Old Courthouse is now part of the Jefferson National Expansion Memorial in St. Louis, Missouri. This was the site of *Dred Scott v. Sandford*, 19 Howard 393 (1857), which ruled in favor of a positive constitutional right of Americans to take slave property into national territory.

The Supreme Court Building (Washington, D.C.)

The Supreme Court building is significant because of its association with the Supreme Court of the United States and the site where *Brown v. Board of Education* was decided by the Supreme Court in 1954. The ideal of separation of powers had been of the utmost concern to the delegates to the Constitutional Convention of 1787. James Madison writing in *The Federalist Papers*, no. 47, stated "the preservation of liberty requires that the three great departments of power should be separate and distinct." The long overdue construction of a magnificent building exclusively for the use of the Supreme Court was a dramatic illustration of a commitment to the early Republic's faith in the separation of powers that would bear fruit in a long line of court cases including *Brown*.

Women's Rights National Historical Park (Seneca Falls, New York)

This is the site associated with the Seneca Falls Convention of 1848, which addressed the issue of the inequality of rights for women and is considered by historians to mark the beginning of the modern women's rights movement. A reading of the Declaration of Sentiments signed by the delegates to the Seneca Falls Convention would form the centerpiece of the program.

Tuskegee Institute National Historic Site (Tuskegee, Alabama)

In 1881 Booker T. Washington founded this college to educate young African Americans after the Civil War.

THE OTHER FOUR SCHOOLS INVOLVED IN THE *BROWN* CASE

Howard High School Wilmington, Delaware

The 1984 National Register of Historic Places nomination of Howard High School

emphasizes the school's contribution to African American education and its spate of successful graduates, including Louis Redding. The school is also significant for its role in the 1951 *Belton v. Gebhart* desegregation case. Ethel Belton led the petition for black students in Claymont, a suburban community, to attend a local white high school rather than commuting into Wilmington to attend the black Howard High School. The suit was combined with four other desegregation cases before the U.S. Supreme Court under the umbrella of *Brown v. Board of Education*.

John Philip Sousa Junior High School, Washington, D.C.

In 1950 Gardner Bishop led a campaign to integrate John Philip Sousa Junior High School, which was reserved for white students in southeast Washington, D.C. James Nabrit, attorney with the NAACP Legal Defense and Educational Fund, filed *Bolling v. Sharpe* to effect integration in the District's public schools. The U.S. Supreme Court merged the action with four other school desegregation cases under *Brown v. Board of Education*.

Robert Russa Moton High School Farmville, Virginia

Named for Booker T. Washington's successor at Tuskegee Institute, this building served as the segregated high school for African Americans in Prince Edward County, Virginia. Overcrowding had reached a crisis point by 1951 and forced a student strike (led by Barbara Johns) that protested conditions at Moton. Student action soon led to formal litigation in *Davis v. County School Board*. Although the U.S. Supreme Court addressed this suit in *Brown v. Board of Education*, the Prince Edward County School Board adopted a policy of resistance and opted to improve Moton High School rather than integrate its student body. The *Davis* case continued and spawned similar suits long after the *Brown* decision because of the county's devotion to "massive resistance."

**Summerton School, Summerton,
South Carolina**

Summerton, listed on the National Register of Historic Places in 1994, is nationally significant for its association with the *Briggs v. Elliott* school desegregation case. Reverend J.A. DeLaine led efforts to integrate public schools in Clarendon County, South Carolina,

to equalize educational opportunities for the community's African American youth. Thurgood Marshall argued the *Briggs* suit before U.S. District Court in South Carolina and before the U.S. Supreme Court as one of the five school desegregation cases that was consolidated under *Brown v. Board of Education*.

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As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

